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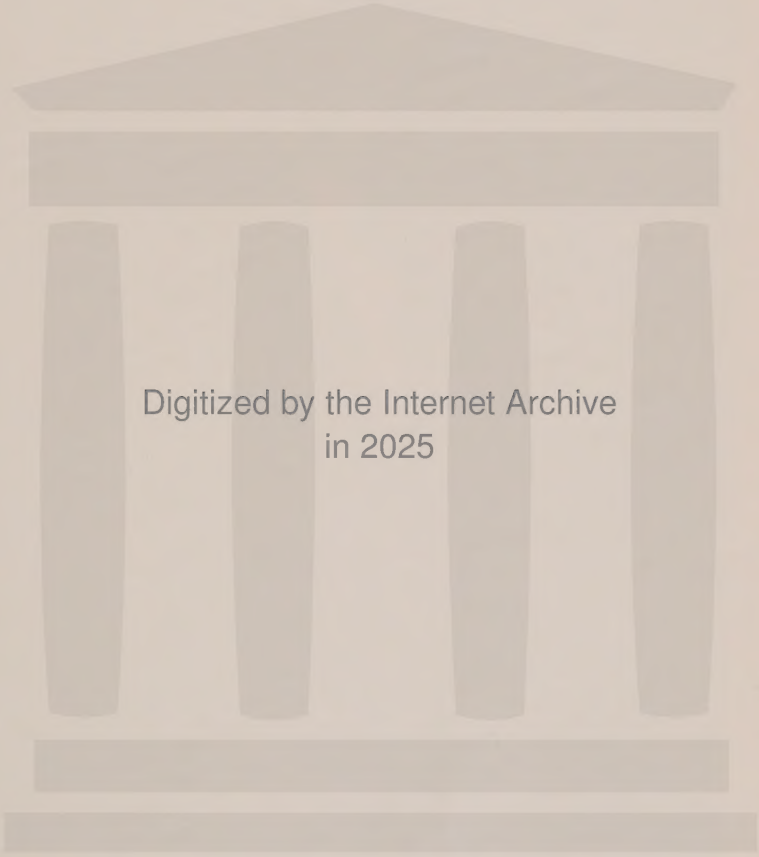
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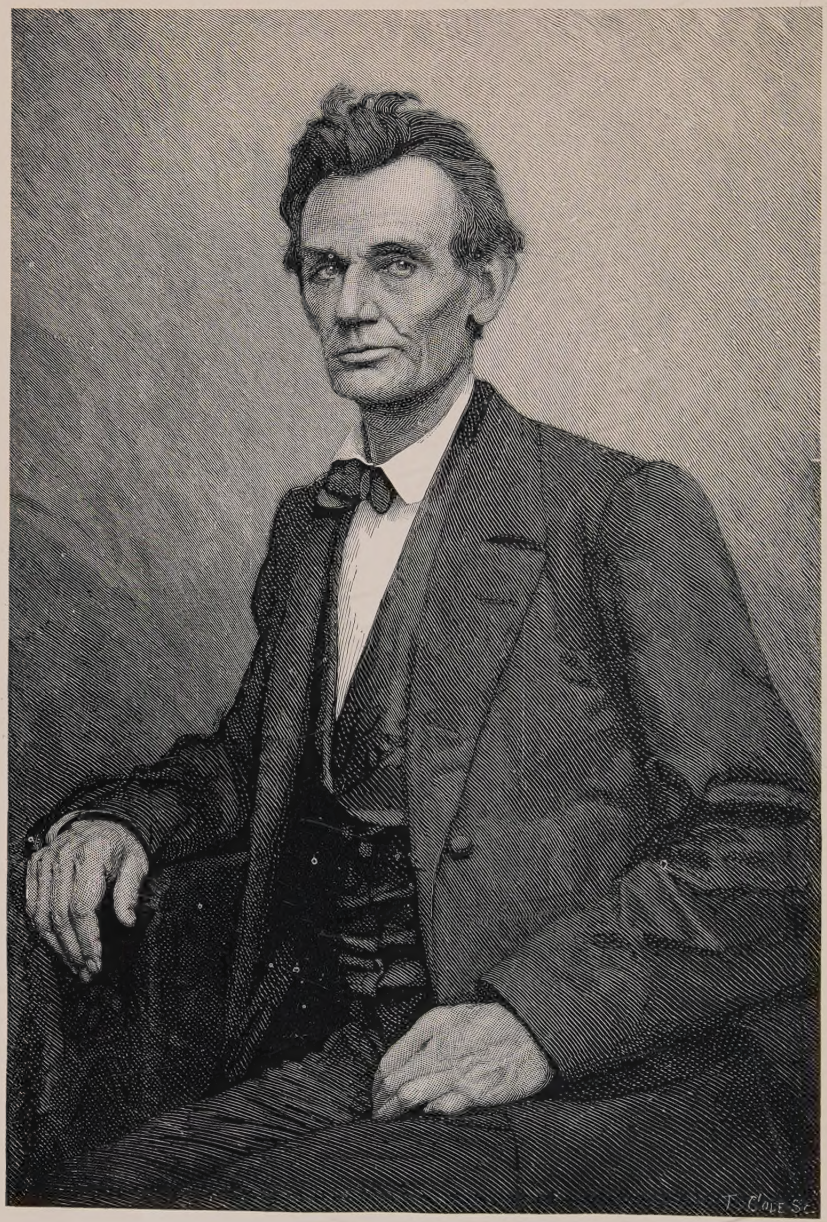

A. Lincoln

ABRAHAM LINCOLN

A HISTORY

BY JOHN G. NICOLAY
AND JOHN HAY

VOLUME TWO

NEW YORK
THE CENTURY CO.

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ILLUSTRATIONS

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Abraham Lincoln ..... *Frontispiece*
From an ambrotype taken for Marcus L. Ward (afterwards Governor of New Jersey) in Springfield, Ill., May 20, 1860, two days after Mr. Lincoln's nomination.

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ABRAHAM LINCOLN

ABRAHAM LINCOLN

CHAPTER I

JEFFERSON DAVIS ON REBELLION

WHILE the town of Lawrence was undergoing burning and pillage, Governor Shannon wrote to Colonel Sumner to say that as the marshal and sheriff had finished making their arrests, and he presumed had by that time dismissed the posse, he required a company of United States troops to be stationed at Lawrence to secure "the safety of the citizens in both person and property," asking also a like company for Lecompton and Topeka. The next day the citizens of Lawrence had the opportunity to smother their indignation when they saw the embers of the Free-State Hotel and the scattered fragments of their printing-presses patrolled and "protected" by the Federal dragoons whose presence they had vainly implored a few days before. It was time the Governor should move. The guerrilla bands with their booty spread over the country, and the free-State men rose in a spirit of fierce retaliation. Assassinations, house-burnings, expulsions, and

Shannon to Sumner, May 21, 1856. Senate Ex. Doc., 3d Sess. 34th Cong. Vol. III., p. 38.

Sumner to Howard, May 16, 1856. Ibid., p. 37.

CHAP. I. 1856.

skirmishes broke out in all quarters. The sudden shower of lawlessness fell on the just and the unjust; and, forced at last to deal out equal protection, the Governor (June 4) issued his proclamation directing military organizations to disperse, "without regard to party names, or distinctions,"[1] and empowering Colonel Sumner to enforce the order.

Shannon to Sumner, June 4, 1856. Senate Ex. Doc., 3d Sess. 34th Cong. Vol. III., p. 45.

That careful and discreet officer, who had from the first counseled this policy, at once proceeded to execute the command with his characteristic energy. He disarmed and dispersed the free-State guerrillas,—John Brown's among the earliest,—liberated prisoners, drove the Missourians, including delegate Whitfield and General Coffee of the skeleton militia, back across their State line, and stationed five companies along the border to prevent their return. He was so fortunate as to accomplish all this without bloodshed. "I do not think," he wrote, June 23, "there is an armed body of either party now in the Territory, with the exception perhaps of a few freebooters." The colonel found very soon that he was only too efficient and faithful. "My measures have necessarily borne hard against both parties," wrote Sumner to the War Department, "for both have in many instances been more or less wrong. The Missourians were perfectly satisfied so long as the troops were employed exclusively against the free-State party; but when they found that I would be strictly impartial, that lawless mobs could no longer come from Missouri, and that their interference with the affairs of Kansas was brought

Sumner to Cooper, June 23, 1856. Ibid., p. 50.

Sumner to Cooper, August 11, 1856. Ibid., p. 59.

[1] Shannon, proclamation, June 4, 1856. Senate Ex. Doc., 3d Sess. 34th Cong. Vol. III., p. 47.

to an end, then they immediately raised a hue and cry that they were oppressed by the United States troops." The complaint had its usual prompt effect at Washington. By orders dated June 27 the colonel was superseded in his command, and Brigadier-General P. F. Smith was sent to Leavenworth. Known to be pro-slavery in his opinions, great advantage was doubtless expected by the conspiracy from this change. But General Smith was an invalid, and incapable of active service, and so far as the official records show, the army officers and troops in Kansas continued to maintain a just impartiality. CHAP. I.

The removal of Governor Shannon a few weeks after Colonel Sumner once more made Secretary Woodson, always a willing instrument of the conspiracy, acting Governor. It was under this individual's promptings and proclamation, Shannon being absent from the Territory, that Colonel Sumner, before the arrival of the orders superseding him, forcibly dispersed the free-State Legislature on the 4th of July, as narrated. For this act the Secretary of War, Jefferson Davis, was not slow to send the colonel an implied censure, perhaps to justify his removal from command; but not a word of reproof went from President or Secretary of State to the acting Governor. 1856.

It has already been stated that for a considerable length of time after the organization of Kansas Territory the Missouri River was its principal highway of approach from the States. To anti-slavery men who were unwilling to conceal their sentiments, this had from the very first been a route of difficulty and danger. Now that political

CHAP. I. strife culminated in civil war, the Missourians established a complete practical blockade of the river against the Northern men and Northern goods. Recently, however, the Northern emigration to Kansas had gradually found a new route through Iowa and Nebraska.

It was about this time that great consternation was created in pro-slavery circles by the report that Lane had arrived at the Iowa border with a "Northern army," exaggerated into fabulous numbers, intent upon fighting his way to Kansas. Parties headed by Lane and others and aggregating some hundreds had in fact so arrived, and were more or less provided with arms, though they had no open military organization. While spies and patrols were on the lookout for marching companies and regiments, they, concealing their arms, quietly slipped down in detached parties to Lawrence. Thus reënforced and inspirited, the free-State men took the aggressive, and by several bold movements broke up a number of pro-slavery camps and gatherings. Greatly exaggerated reports of these affairs were promptly sent to the neighboring Missouri counties, and the Border Ruffians rose for a third invasion of Kansas.

Governor Shannon, not yet notified of his removal, reported to General Smith that Lecompton was threatened with an attack. General Smith, becoming alarmed, called together all his available force for the protection of the territorial capital, and reported the exigency to the War Department. All the hesitation which had hitherto characterized the instructions of Jefferson Davis, the Secretary of War, in the use of troops otherwise than as an

officer's posse, instantly vanished. The whole Kansas militia was placed under the orders of General Smith, and requisitions were issued for two regiments from Illinois and two from Kentucky. "The position of the insurgents," wrote the Secretary, "as shown by your letter and its inclosures, is that of open rebellion against the laws and constitutional authorities, with such manifestation of a purpose to spread devastation over the land as no longer justifies further hesitation or indulgence. To you, as to every soldier, whose habitual feeling is to protect the citizens of his own country, and only to use his arms against a public enemy, it cannot be otherwise than deeply painful to be brought into conflict with any portion of his fellow-countrymen. But patriotism and humanity alike require that rebellion should be promptly crushed, and the perpetration of the crimes which now disturb the peace and security of the good people of the Territory of Kansas should be effectually checked. You will therefore energetically employ all the means within your reach to restore the supremacy of the law, always endeavoring to carry out your present purpose to prevent the unnecessary effusion of blood."[1] CHAP. I.

The Secretary had probably cast his eye upon the Platte County battle-call in the "Weston Argus Extra," which formed one of the general's inclosures: "So sudden and unexpected has been the attack of the abolitionists that the law-and-order party was unprepared to effectually resist them. To-day the bogus free-State government,

1 Jefferson Davis, Secretary of War, to General Smith, Sept. 3, 1856. Senate Ex. Doc., 3d Sess. 34th Cong. Vol. III., p. 29.

CHAP. I.

we understand, is to assemble at Topeka. The issue is distinctly made up; either the free-State or pro-slavery party is to have Kansas. . . Citizens of Platte County! the war is upon you, and at your very doors. Arouse yourselves to speedy vengeance and rub out the bloody traitors."[1]

It was perhaps well that the pro-slavery zeal of General Smith was less ardent than that of Secretary Jefferson Davis, or the American civil war might have begun in Lawrence instead of Charleston. Upon fuller information and more mature reflection, the General found that he had no need of either the four regiments from Illinois and Kentucky, or Border-Ruffian mobs led by skeleton militia generals, neither of which he had asked for. Both the militia generals and the Missourians were too eager even to wait for an official call. General Richardson ordered out his whole division on the strength of the "Argus Extra" and neighborhood reports,[2] and the entire border was already in motion when acting Governor Woodson issued his proclamation declaring the Territory "to be in a state of open insurrection and rebellion." General Smith found it necessary to direct his first orders against the Border-Ruffian invaders themselves. "It has been rumored for several days," he wrote to his second in command, "that large numbers of persons from the State of Missouri have entered Kansas, at various points, armed, with the intention of attacking the opposite party and driving them from the Territory, the latter

Woodson, proclamation, Aug. 25, 1856. Senate Ex. Doc., 3d Sess. 34th Cong. Vol. III., p. 80.

[1] August 18, 1856. Senate Executive Documents, 3d Session 34th Congress. Vol. III., pp. 76–7.

[2] Richardson to General Smith, August 18, 1856. Senate Ex. Doc., 3d Sess. 34th Cong. Vol. III., p. 75.

being also represented to be in considerable force. If it should come to your knowledge that either side is moving upon the other with the view to attack, it will become your duty to observe their movements and prevent such hostile collisions."[1]

Lieutenant-Colonel P. St. George Cooke, upon whom this active field work devolved, because of the General's ill health, concentrated his little command between Lawrence and Lecompton, where he could to some extent exert a salutary check upon the main bodies of both parties, and where he soon had occasion to send a remonstrance to the acting Governor that his "militia" was ransacking and burning houses.[2] To the acting Governor's mind, such a remonstrance was not a proper way to suppress rebellion. He, therefore, sent Colonel Cooke a requisition to invest the town of Topeka, disarm the insurrectionists, hold them as prisoners, level their fortifications, and intercept aggressive invaders on "Lane's trail"; all of which demands the officer prudently and politely declined, replying that he was there to assist in serving judicial process, and not to make war on the town of Topeka.

Woodson to Cooke, Sept. 1, 1856. Senate Ex. Doc., 3d Sess. 34th Cong. Vol. III., pp. 90, 91.

Cooke to Woodson, Sept. 1, 1856. Ibid., pp. 91, 92.

If, as had been alleged, General Smith was at first inclined to regard the pro-slavery side with favor, its arrogance and excesses soon removed his prejudices, and he wrote an unsparing report of the situation to the War Department. "In explanation of the position of affairs, lately and now, I may remark that there are more than two opposing parties in the Territory. The citizens of the

[1] George Deas, Assistant Adjutant-General to Lieut.-Colonel Cooke, August 28, 1856. Senate Executive Documents, 3d Session 34th Congress. Vol. III., p. 85.

[2] Cooke to Deas, August 31, 1856. Ibid., p. 89.

CHAP. I. Territory who formed the majority in the organization of the territorial government, and in the elections for its Legislature and inferior officers, form one party. The persons who organized a State government, and attempted to put it in operation against the authority of that established by Congress, form another. A party, at the head of which is a former Senator from Missouri, and which is composed in a great part of citizens from that State, who have come into this Territory armed, under the excitement produced by reports exaggerated in all cases, and in many absolutely false, form the third. There is a fourth, composed of idle men congregated from various parts, who assume to arrest, punish, exile, and even kill all those whom they assume to be bad citizens; that is, those who will not join them or contribute to their maintenance. Every one of these has in his own peculiar way (except some few of the first party) thrown aside all regard to law, and even honesty, and the Territory under their sway is ravaged from one end to the other. . . Until the day before yesterday I was deficient in force to operate against all these at once; and the acting Governor of the Territory did not seem to me to take a right view of affairs. If Mr. Atchison and his party had had the direction of affairs, they could not have ordered them more to suit his purpose."[1]

All such truth and exposure of the conspiracy, however, was unpalatable at Washington; and Secretary Jefferson Davis, while approving the con-

[1] Smith to Cooper, September 10, 1856. Senate Executive Document, 3d Sess. 34th Cong. Vol. III., pp. 80, 81.

duct of Colonel Cooke and expressing confidence in General Smith, nevertheless curtly indorsed upon his report: "The only distinction of parties which in a military point of view it is necessary to note is that which distinguishes those who respect and maintain the laws and organized government from those who combine for revolutionary resistance to the constitutional authorities and laws of the land. The armed combinations of the latter class come within the denunciation of the President's proclamation and are proper subjects upon which to employ the military force."[1]

Such was the state of affairs when the third Governor of Kansas, newly appointed by President Pierce, arrived in the Territory. The Kansas proslavery cabal had upon the dismissal of Shannon fondly hoped that one of their own clique, either Secretary Woodson or Surveyor-General John Calhoun, would be made executive, and had set on foot active efforts in that direction. In principle and purpose they enjoyed the abundant sympathy of the Pierce Administration; but as the presidential election of 1856 was at hand, the success of the Democratic party could not at the moment be endangered by so open and defiant an act of partisanship. It was still essential to placate the wounded antislavery sensibilities of the Northern States, and to this end John W. Geary, of Pennsylvania, was nominated by the President and unanimously confirmed by the Senate. He was a man of character and decision, had gone to the

1 Sec. War, indorsement, Sept. 23, on letter of Gen. Smith to Adjutant-General Cooper, Sept. 10, 1856. Senate Executive Documents, 3d Sess. 34th Cong. Vol. III., p. 83.

CHAP. I.

Mexican war as a volunteer captain, and had been made a colonel and intrusted with an important command for merit. Afterwards he had served as postmaster, as alcalde, and as mayor of the city of San Francisco in the turbulent gold excitements of 1848–9, and was made a funding commissioner by the California Legislature. Both by nature and experience, therefore, he seemed well fitted to subdue the civil commotions of Kansas.

"Washington Union," August 1, 1856.

But the pro-slavery leaders of the Territory were very far from relishing or desiring qualifications of this character. In one of their appeals calling upon the Missourians for "assistance in men, provisions, and munitions, that we may drive out the 'Army of the North,'" they had given the President and the public a piece of their mind about this appointment. "We have asked the appointment of a successor," said they, "who was acquainted with our condition," with "the capacity to appreciate and the boldness and integrity requisite faithfully to discharge his duty regardless of the possible effect it might have upon the election of some petty politician in a distant State. In his stead we have one appointed who is ignorant of our condition, a stranger to our people; who, we have too much cause to fear, will, if no worse, prove no more efficient to protect us than his predecessors. . . We cannot await the convenience in coming of our newly appointed Governor. We cannot hazard a second edition of imbecility or corruption!"

Gihon, p. 130.

Animated by such a spirit, they now bent all their energies upon concentrating a sufficient force in Kansas to crush the free-State men before the

new Governor could interfere. Acting Governor Woodson had by proclamation declared the Territory in a state of "open insurrection and rebellion,"[1] and the officers of the skeleton militia were hurriedly enrolling the Missourians, giving them arms, and planting them in convenient camps for a final and decisive campaign.

It was on September 9, 1856, that Governor Geary and his party landed at Leavenworth. Even on his approach he had already been compelled to note and verify the evidences of civil war. He had met Governor Shannon fleeing from the Territory, who drew for him a direful picture of the official inheritance to which he had come. While this interview took place, during the landing of the boat at Glasgow, a company of sixty Missouri Border Ruffians was embarking, with wagons, arms, and cannon, and with the open declaration that they were bound for Kansas to hunt and kill "abolitionists." Similar belligerent preparations were in progress at all the river towns they touched. At Kansas City the vigilance committee of the blockade boarded and searched the boat for concealed "abolitionists." Finally arrived at Leavenworth, the Governor saw a repetition of the same scenes — parades and military control in the streets, fugitives within the inclosure of the fort, and minor evidences of lawlessness and terror.

Gihon, p. 104.

Gihon, pp. 104-6.

Governor Geary went at once to the fort, where he spent the day in consultation with General Smith. That same evening he wrote to W. L. Marcy, Secretary of State, a report of the day's

[1] Woodson, proclamation, August 25, 1856. Senate Executive Documents, 3d Sess. 34th Cong. Vol. III., p. 80.

CHAP. I.

impressions which was anything but reassuring — Leavenworth in the hands of armed men committing outrages under the shadow of authority; theft and murder in the streets and on the highways; farms plundered and deserted; agitation, excitement, and utter insecurity everywhere, and the number of troops insufficient to compel peace and order. All this was not the worst, however. Deep in the background stood the sinister apparition of the Atchison cabal. "I find," wrote he, "that I have not simply to contend against bands of armed ruffians and brigands whose sole aim and end is assassination and robbery — infatuated adherents and advocates of conflicting political sentiments and local institutions — and evil-disposed persons actuated by a desire to obtain elevated positions; but worst of all, against the influence of men who have been placed in authority and have employed all the destructive agents around them to promote their own personal interests at the sacrifice of every just, honorable, and lawful consideration. . . . Such is the condition of Kansas faintly pictured. . . In making the foregoing statements I have endeavored to give the truth and nothing but the truth. I deem it important that you should be apprised of the actual state of the case; and whatever may be the effect of such revelations, they will be given from time to time without extenuation."

Geary to Marcy, Sept. 9, 1856. Senate Ex. Doc., 3d Sess. 34th Cong. Vol. II., p. 88.

Discouraging as he found his new task of administration, Governor Geary grappled with it in a spirit of justice and decision. The day following his interview with General Smith found him at Lecompton, the capital of the Territory, where the

other territorial officials, Woodson, Calhoun, Donaldson, Sheriff Jones, Lecompte, Cato, and others, constituted the ever-vigilant working force of the Atchison cabal, precisely as had been so truthfully represented to him by General Smith, and as he had so graphically described in his letter to Marcy of the day before. Paying little heed to their profusely offered advice, he adhered to his determination to judge for himself, and at once issued an inaugural address, declaring that in his official action he would do justice at all hazards, that he desired to know no party and no section, and imploring the people to bury their past strifes, and devote themselves to peace, industry, and the material development of the Territory.[1] As an evidence of his earnestness he simultaneously issued two proclamations, one disbanding the volunteer or Missouri militia lately called into service by acting Governor Woodson, and the other commanding the immediate enrollment of the true citizen militia of Kansas Territory, this step being taken by the advice of General Smith.

Geary, proclamation, Sept. 11, 1856. Senate Ex. Doc., 3d Sess. 34th Cong. Vol. II., pp. 93-4.

Geary to Marcy, Sept. 12, 1856. Ibid., p. 95.

He soon found that he could not govern Kansas with paper proclamations alone. His sudden arrival at this particular juncture was evidently an unexpected *contretemps*. While he was preaching and printing his sage admonitions about peace and prosperity at Lecompton, and laboring to change the implements of civil war into plowshares and pruning-hooks, the Missouri raid against Lawrence, officially called into the field by Woodson's proclamation, was about to deal out destruction to that

1 Geary, Inaugural Address, Sept. 11, 1856. Senate Executive Documents, 3d Sess. 34th Cong. Vol. III., p. 116.

CHAP. I. town. A thousand Border Ruffians (at least two eye-witnesses say 2500), led by their recognized Missouri chiefs, were at that moment camped within striking distance of the hated "New Boston." Their published address, which declared that "these traitors, assassins, and robbers must now be punished, must now be taught a lesson they will remember," that "Lane's army and its allies must be expelled from the Territory," left no doubt of their errand.

This news reached Governor Geary about midnight of his second day in Lecompton. One of the brigadiers of the skeleton militia was apparently in command, and not yet having caught the cue of the Governor's intentions, reported the force for orders, "in the field, ready for duty, and impatient to act."[1] At about the same hour the Governor received a message from the agent he had sent to Lawrence to distribute copies of his inaugural, that the people of that town were arming and preparing to receive and repel this contemplated attack of the Missourians. He was dumfounded at the information; his promises and policy, upon which the ink was not yet dry, were already in jeopardy. Instead of bringing peace his advent was about to open war.

In this contingency the Governor took his measures with true military promptness. He immediately dispatched to the Missouri camp Secretary Woodson with copies of his inaugural, and the adjutant-general of the Territory with orders to disband and muster out of service the Missouri volun-

[1] General Heiskell to Geary, Sept. 11 and 12, 1856. Senate Ex. Doc., 3d Sess. 34th Cong. Vol. II., p. 97.

teers,[1] while he himself, at the head of three hundred dragoons and a light battery, moved rapidly to Lawrence, a distance of twelve miles. Entering that town at sunrise, he found a few hundred men hastily organized for defense in the improvised intrenchments and barricades about the place, ready enough to sell their lives, but vastly more willing to intrust their protection to the Governor's authority and the Federal troops.[2] They listened to his speech and readily promised to obey his requirements.

Since the Missourians had officially reported themselves to him as subject to his orders, the Governor supposed that his injunctions, conveyed to them in writing and print, and borne by the secretary and the adjutant-general of the Territory, would suffice to send them back at once to their own borders, and he returned to Lecompton to take up his thorny duties of administration. Though forewarned by ex-Governor Shannon and by General Smith, Governor Geary did not yet realize the temper and purpose of either the cabal conspirators or the Border-Ruffian rank and file. He had just dispatched a military force in another direction to intercept and disarm a raid about to be made by a detachment of Lane's men, when news came to him that the Missourians were still moving upon Lawrence, in increased force, that his officers had not yet delivered his orders, and that skirmishing had begun between the outposts.

Menaced thus with dishonor on one side and

[1] Geary to Marcy, Sept. 16, 1856. Senate Ex. Doc., 3d Sess. 34th Cong. Vol. II., p. 107.

[2] Colonel Cook to Porter, A. A. G., Sept. 13, 1856. Ibid., Vol. III., pp. 113, 114.

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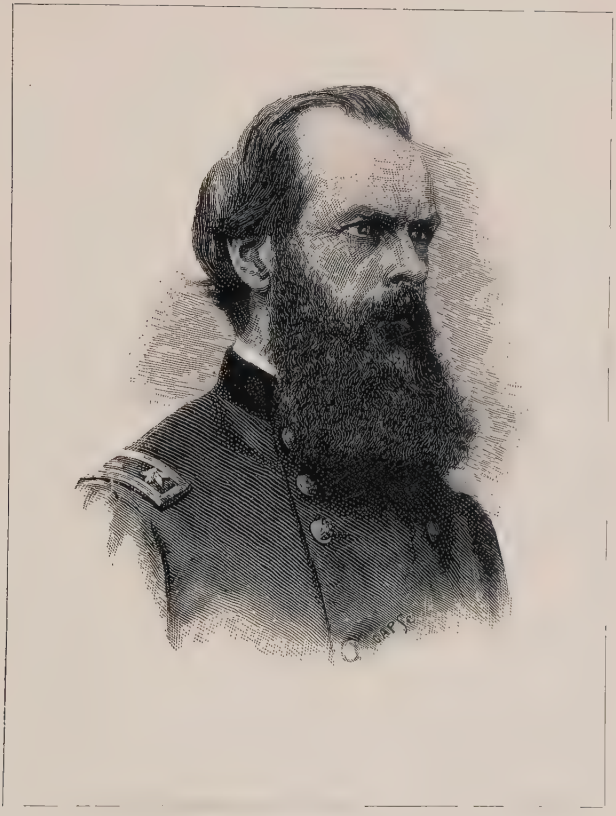
contempt on the other, he gathered all his available Federal troops, and hurrying forward posted them between Lawrence and the invaders. Then he went to the Missouri camp, where the true condition of affairs began to dawn upon him. All the Border-Ruffian chiefs were there, headed by Atchison in person, who was evidently the controlling spirit, though a member of the Legislature of the State of Missouri, named Reid, exercised nominal command. He found his orders unheeded and on every hand mutterings of impatience and threats of defiance. These invading aliens had not the least disposition to receive commands as Kansas militia; they invoked that name only as a cloak to shield them from the legal penalties due their real character as organized banditti.

D. W. Wilder, "Annals of Kansas," p. 108; Gihon, p. 152.

The Governor called the chiefs together and made them an earnest harangue. He explained to them his conciliatory policy, read his instructions from Washington, affirmed his determination to keep peace, and appealed personally to Atchison to aid him in enforcing law and preserving order. That wily chief, seeing that refusal would put him in the attitude of a law-breaker, feigned a ready compliance, and he and Reid, his factotum commander, made eloquent speeches "calculated to produce submission to the legal demands made upon them."[1] Some of the lesser captains, however, were mutinous, and treated the Governor to choice bits of Border-Ruffian rhetoric. Law and violence vibrated in uncertain balance, when Colonel Cooke, commanding the Federal troops, took

[1] Colonel Cooke to F. J. Porter, Sept. 16, 1856. Senate Ex. Doc., 3d Sess. 34th Cong. Vol. III., p. 121.



GENERAL JOHN W. GEARY.

the floor and cut the knot of discussion in a summary way. "I felt called upon to say some words myself," he writes naïvely, "appealing to these militia officers as an old resident of Kansas and friend to the Missourians to submit to the patriotic demand that they should retire, assuring them of my perfect confidence in the inflexible justice of the Governor, and that it would become my painful duty to sustain him at the cannon's mouth."[1] This argument was decisive. The border chiefs felt willing enough to lead their awkward squads against the slight barricades of Lawrence, but quailed at the unlooked-for prospect of encountering the carbines and sabers of half a regiment of regular dragoons and the grape-shot of a well-drilled light battery. They accepted the inevitable; and swallowing their rage but still nursing their revenge, they consented perforce to retire and be "honorably" mustered out. But for this narrow contingency Lawrence would have been sacked a second time by the direct agency of the territorial cabal.

Nothing could more forcibly demonstrate the unequal character of the contest between the slave-State and the free-State men in Kansas, even in these manœuvres and conflicts of civil war, than the companion exploit to this third Lawrence raid. The day before Governor Geary, seconded by the "cannon" argument of Colonel Cooke, was convincing the reluctant Missourians that it was better to accept, as a reward for their unfinished expedition, the pay, rations, and honorable dis-

1 Cooke to Porter, Sept. 16, 1856. Senate Ex. Doc., 3d Sess. 34th Cong. Vol. III., p. 122.

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charge of a "muster out," rather than the fine, imprisonment, or halter to which the full execution of their design would render them liable, another detachment of Federal dragoons was enforcing the bogus laws upon a company of free-State men who had just had a skirmish with a detachment of this same invading army of Border Ruffians, at a place called Hickory Point. The encounter itself had all the usual characteristics of the dozens of similar affairs which occurred during this prolonged period of border warfare — a neighborhood feud; neighborhood violence; the appearance of organized bands for retaliation; the taking of forage, animals, and property; the fortifying of two or three log-houses by a pro-slavery company then on its way to join in the Lawrence attack, and finally the appearance of a more numerous free-State party to dislodge them. The besieging column, some 350 in number, had brought up a brass four-pounder, lately captured from the pro-slavery men, and with this and their rifles kept up a long-range fire for about six hours, when the garrison of Border Ruffians capitulated on condition of being allowed "honorably" to evacuate their stronghold and retire. The casualties were one man killed and several wounded.

Examination, Senate Ex. Doc., 3d Sess. 34th Cong. Vol. II., pp. 156–69.

The rejoicing of the free-State men over this not too brilliant victory was short-lived. Returning home in separate squads, they were successively intercepted by the Federal dragoons acting as a posse to the Deputy United States Marshal,[1] who arrested them on civil writs obtained in haste by

[1] Captain Wood to Colonel Cooke, September 16, 1856. Senate Ex. Doc., 3d Sess. 34th Cong. Vol. III., pp. 123–6.

an active member of the territorial cabal, and to the number of eighty-nine[1] were taken prisoners to Lecompton. So far the affair had been of such frequent occurrence as to have become commonplace — a frontier "free fight," as they themselves described and regarded it. But now it took on a remarkable aspect. Sterling G. Cato, one of the pro-slavery territorial judges, had been found by Governor Geary in the Missouri camp drilling and doing duty as a soldier, ready and doubtless more than willing to take part in the projected sack of Lawrence. This Federal judge, as open a law-breaker as the Hickory Point prisoners (the two affairs really forming part of one and the same enterprise), now seated himself on his judicial bench and committed the whole party for trial on charge of murder in the first degree; and at the October term of his court proceeded to try and condemn to penalties prescribed by the bogus laws some eighteen or twenty of these prisoners, for offenses in which in equity and good morals he was personally *particeps criminis* — some of the convicts being held in confinement until the following March, when they were pardoned by the Governor.[2] *Inter arma silent leges*, say the publicists; but in this particular instance the license of guerrilla war, the fraudulent statutes of the Territory, and the laws of Congress were combined and perverted with satanic ingenuity in furtherance of the conspiracy.

Gihon, p. 158.

Record of examination, Senate Ex. Doc., 3d Sess. 34th Cong. Vol. II., pp. 156–69.

The vigorous proceedings of Governor Geary,

[1] Geary to Marcy, October 1, 1856. Senate Executive Documents, 3d Sess. 34th Cong. Vol. II., p. 156.

[2] Gihon, pp. 142–3. Geary, Executive Minutes, Senate Ex. Doc., No. 17, 1st Sess. 35th Cong. Vol. VI., p. 195.

CHAP. I. the forced retirement of the Missourians on the one hand, and the arrest and conviction of the free-State partisans on the other, had the effect to bring the guerrilla war to an abrupt termination. The retribution had fallen very unequally upon the two parties to the conflict,[1] but this was due to the legal traps and pitfalls prepared with such artful

[1] The Kansas Territorial Legislature, in the year 1859, by which time local passion had greatly subsided, by law empowered a non-partisan board of three commissioners to collect sworn testimony concerning the ravages of the civil war in Kansas, with a view of obtaining indemnity from the general Government for the individual sufferers. These commissioners, after a careful examination, made an official report, from which may be gleaned an interesting summary in numbers and values of the harvest of crime and destruction which the Kansas contest produced, and which report can be relied upon, since eye-witnesses and participants of both parties freely contributed their testimony at the invitation of the commissioners.

The commissioners fixed the period of the war as beginning about November 1, 1855, and continuing until about December 1, 1856. They estimated that the entire loss and destruction of property, including the cost of fitting out the various expeditions, amounted to an aggregate of not less than $2,000,000. Fully one-half of this loss, they thought, was directly sustained by actual settlers of Kansas. They received petitions and took testimony in 463 cases. They reported 417 cases as entitled to indemnity. The detailed figures and values of property destroyed are presented as follows:

"Amount of crops destroyed, $37,349.61; number of buildings burned and destroyed, 78; horses taken or destroyed, 368; cattle taken or destroyed, 533. Amount of property owned by pro-slavery men, $77,198.99; property owned by free-State men, $335,779.04; property taken or destroyed by pro-slavery men, $318,718.63; property taken or destroyed by free-State men, $94,529.40."

About the loss of life the commissioners say: "Although not within our province, we may be excused for stating that, from the most reliable information that we have been able to gather, by the secret warfare of the guerrilla system, and in well-known encounters, the number of lives sacrificed in Kansas during the period mentioned probably exceeded rather than fell short of two hundred. . . That the excitement in the Eastern and Southern States, in 1856, was instigated and kept up by garbled and exaggerated accounts of Kansas affairs, published in the Eastern and Southern newspapers, is true, most true; but the half of what was done by either party was never chronicled!" — House Reports, 2d Sess. 36th Cong. Vol. III., Part 1, pp. 90 and 93.

design by the Atchison conspiracy, and not to the personal indifference or ill-will of the Governor. He strove sincerely to restore impartial administration; he completed the disbandment of the territorial militia, reënlisting into the Federal service one pro-slavery and one free-State company for police duty.[1] By the end of September he was enabled to write to Washington that "peace now reigns in Kansas." Encouraged by this success in allaying guerrilla strife, he next endeavored to break up the existing political persecution and intrigues.

It was not long, however, before Governor Geary became conscious, to his great surprise and mortification, that he had been nominated and sent to Kansas as a partisan manœuvre, and not to institute administrative reforms; that his instructions,

[1] We quote the following from the executive minutes of Governor Geary to show that border strife had not entirely destroyed the kindlier human impulses, which enabled him to turn a portion of the warring elements to the joint service of peace and order:

"September 24, 1856. For the purpose of obtaining information which was considered of great value to the Territory, the Governor invited to Lecompton, Captain [Samuel] Walker, of Lawrence, one of the most celebrated and daring leaders of the anti-slavery party, promising him a safe-conduct to Lecompton and back again to Lawrence. During Walker's visit at the Executive Office, Colonel [H. T.] Titus entered, whose house was, a short time since, destroyed by a large force under the command of Walker; an offense which was subsequently retaliated by the burning of the residence of the latter. These men were, perhaps, the most determined enemies in the Territory. Through the Governor's intervention, a pacific meeting occurred, a better understanding took place, mutual concessions were made, and pledges of friendship were passed; and, late in the afternoon, Walker left Lecompton in company with and under the safeguard of Colonel Titus. Both these men have volunteered to enter the service of the United States as leaders of companies of territorial militia."—Geary, Executive Minutes. Senate Executive Documents, 3d Session 34th Congress, Vol. II., pp. 137–8.

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Marcy to Geary, August 26, 1856. Gihon, p. 272.

written during the presidential campaign, to tranquillize Kansas by his "energy, impartiality, and discretion," really meant that after Mr. Buchanan was elected he should satisfy the Atchison cabal.

In less than six months after he went to the Territory, clothed with the executive authority, speaking the President's voice, and representing the unlimited military power of the republic, he, the third Democratic Governor of Kansas, was, like his predecessors, in secret flight from the province he had so trustfully gone to rule, execrated by his party associates, and abandoned by the Administration which had appointed him. Humiliating as was this local conspiracy to plant servitude in Kansas, a more aggressive political movement to nationalize slavery in all the Union was about to eclipse it.

CHAPTER II

THE CONVENTIONS OF 1856

IN the State of Illinois, the spring of the year 1856 saw an almost spontaneous impulse toward the formation of a new party. As already described, it was a transition period in politics. The disorganization of the Whig party was materially increased and hastened by the failure, two years before, to make Lincoln a Senator. On the other hand, the election of Trumbull served quite as effectively to consolidate the Democratic rebellion against Douglas in his determination to make the support of his Nebraska bill a test of party orthodoxy. Many of the Northern counties had formed "Republican" organizations in the two previous years; but the name was entirely local, while the opposition, not yet united, but fighting in factions against the Nebraska bill, only acknowledged political affinity under the general term of the "Anti-Nebraska" party.

In the absence of any existing party machinery, some fifteen editors of anti-Nebraska newspapers met for conference at Decatur on the 22d of February and issued a call for a delegate State convention of the "Anti-Nebraska party," to meet at Bloomington on the 29th of May. Prominent

1856.

CHAP. II. leaders, as a rule, hesitated to commit themselves by their presence at Decatur. Not so with Mr. Lincoln. He could not attend the deliberations as an editor; but he doubtless lent his suggestion and advice, for we find him among the distinguished guests and speakers at the banquet which followed the business session, and toasts to his candidacy as "the next United States Senator" show that his leadership had suffered no abatement. The assembled editors purposely set the Bloomington Convention for a somewhat late day in the campaign, and before the time arrived the political situation in the State was already much more clearly defined.

One factor which greatly baffled the calculations and forecast of politicians was the Know-Nothing or American party. It was apparent to all that this order or affiliation had during the past two years spread into Illinois, as into other States. But as its machinery and action were secret, and as no general election had occurred since 1854 to exhibit its numerical strength, its possible scope and influence could only be vaguely estimated. Still it was clearly present as a positive force. Its national council had in February at Philadelphia nominated Fillmore and Donelson as a presidential ticket; but the preponderating Southern membership forced an indorsement of the Kansas-Nebraska act into its platform, which destroyed the unity and power of the party, driving the Northern delegates to a bolt. Nevertheless many Northern voters, indifferent to the slavery issue, still sought to maintain its organization; and thus in Illinois
1856. the State Council met early in May, ratified the

nomination of Fillmore for President, and nominated candidates for Governor, and other State officers.

Davidson and Stuvé, "History of Illinois," p. 648.

The Democratic party, or rather so much of that party as did not openly repudiate the policy and principle of the Kansas-Nebraska act, made early preparations for a vigorous campaign. The great loss in prestige and numbers he had already sustained admonished Douglas that his political fortunes hung in a doubtful balance. But he was a bold and aggressive leader, to whom controversy and party warfare were rather an inspiration than a discouragement. Under his guidance, the Democratic State Convention nominated for Governor of Illinois William A. Richardson, late a member of the House of Representatives, in which body as chairman of the Committee on Territories he had been the leader to whom the success of the Nebraska bill was specially intrusted, and where his parliamentary management had contributed materially to the final passage of that measure.

Thus the attitude of opposing factions and the unorganized unfolding of public opinion, rather than any mere promptings or combinations of leaders, developed the course of the anti-Nebraska men of Illinois. Out of this condition sprung directly one important element of future success. Richardson's candidacy, long foreshadowed, was seen to require an opposing nominee of unusual popularity. He was found in the person of Colonel William H. Bissell, late a Democratic representative in Congress, where he had denounced disunion in 1850, and opposed the Nebraska bill in 1854. He had led a regiment to the Mexican

CHAP. II.

war, and fought gallantly at the battle of Buena Vista. His military laurels easily carried him into Congress; but the exposures of the Mexican campaign also burdened him with a disease which paralyzed his lower limbs, and compelled retirement from active politics after his second term. He was now, however, recovering; and having already exhibited civic talents of a high order, the popular voice made light of his physical infirmity, and his friends declared their readiness to match the brains of Bissell against the legs of his opponents.

One piece of his history rendered him specially acceptable to young and spirited Western voters. His service in Congress began amid exciting debates over the compromise measures of 1850, when the Southern fire-eaters were already rampant. Seddon, of Virginia, in his eagerness to depreciate the North and glorify the South, affirmed in a speech that at the battle of Buena Vista, "at that most critical juncture when all seemed lost save honor," amid the discomfiture and rout of "the brave but unfortunate troops of the North through a mistaken order," "the noble regiment of Mississippians" had snatched victory from the jaws of death. Replying some days later to Seddon's innuendo, Bissell, competent by his presence on the battle-field to bear witness, retorted that when the 2d Indiana gave way, it was McKee's 2d Kentucky, Hardin's 1st Illinois, and Bissell's 2d Illinois which had retrieved the fortunes of the hour, and that the vaunted Mississippi regiment was not within a mile and a half of the scene of action. Properly this was an issue of veracity between Seddon and Bissell, of easy solution. But Jefferson Davis, who

January 23, 1850; Appendix, "Globe," 1849–50, p. 78.

commanded the Mississippi regiment in question, began an interchange of notes with Bissell which from the first smelt of gunpowder. Were his reported remarks correct? asked Davis in substance. Bissell answered, repeating the language of his speech and defining the spot and the time to which it applied, adding: "I deem it due, in justice alike to myself and the Mississippi regiment, to say that I made no charge against that regiment." Davis persisting, then asked, in substance, whether he meant to deny General Lane's official report that "the regiment of Mississippians came to the rescue at the proper time to save the fortunes of the day." Bissell rejoined: "My remarks had reference to a different time and place from those referred to by General Lane." CHAP. II.

At this point both parties might with great propriety have ended the correspondence. Sufficient inquiry had been met by generous explanation. But Davis, apparently determined to push Bissell to the wall, now sent his challenge. This time, however, he met his match in courage. Bissell named an officer of the army as his second, instructing him to suggest as weapons "muskets, loaded with ball and buckshot." The terms of combat do not appear to have been formally proposed between the friends who met to arrange matters, but they were evidently understood; the affair was hushed up, with the simple addition to Bissell's first reply that he was willing to award the Mississippi regiment "the credit due to their gallant and distinguished services in that battle." Pamphlet, Printed correspondence.

The Bloomington Convention came together according to call on the 29th of May. By this time 1856.

CHAP. II. the active and observant politicians of the State had become convinced that the anti-Nebraska struggle was not a mere temporary and insignificant "abolition" excitement, but a deep and abiding political issue, involving in the fate of slavery the fate of the nation. Minor and past differences were therefore generously postponed or waived in favor of a hearty coalition on the single dominant question. A most notable gathering of the clans was the result. About one-fourth of the counties sent regularly chosen delegates; the rest were volunteers. In spirit and enthusiasm it was rather a mass-meeting than a convention; but every man present was in some sort a leader in his own locality. The assemblage was much more representative than similar bodies gathered by the ordinary caucus machinery. It was an earnest and determined council of five or six hundred cool, sagacious, independent thinkers, called together by a great public exigency, led and directed by the first minds of the State. Not only did it show a brilliant array of eminent names, but a remarkable contrast of former antagonisms: Whigs, Democrats, Free-Soilers, Know-Nothings, Abolitionists; Norman B. Judd, Richard Yates, Ebenezer Peck, Leonard Swett, Lyman Trumbull, David Davis, Owen Lovejoy, Orville H. Browning, Ichabod Codding, Archibald Williams, and many more. Chief among these, as adviser and actor, was Abraham Lincoln.

Rarely has a deliberative body met under circumstances more exciting than did this one. The Congressional debates at Washington and the civil war in Kansas were each at a culmination of pas-

sion and incident. Within ten days Charles Sumner had been struck down in the Senate Chamber, and the town of Lawrence sacked by the guerrilla posse of Atchison and Sheriff Jones. Ex-Governor Reeder, of that suffering Territory, addressed the citizens of Bloomington and the earliest-arriving delegates on the evening of the 28th, bringing into the convention the very atmosphere of the Kansas conflict.

The convention met and conducted its work with earnestness and dignity. Bissell, already designated by unmistakable popular indications, was nominated for governor by acclamation. The candidate for lieutenant-governor was named in like manner. So little did the convention think or care about the mere distribution of political honors on the one hand, and so much, on the other, did it regard and provide for the success of the cause, that it did not even ballot for the remaining candidates on the State ticket, but deputed to a committee the task of selecting and arranging them, and adopted its report as a whole and by acclamation. The more difficult task of drafting a platform was performed by another committee, with such prudence that it too received a unanimous acceptance. It boldly adopted the Republican name, formulated the Republican creed, and the convention further appointed delegates to the coming Republican National Convention.

There were stirring speeches by eloquent leaders, eagerly listened to and vociferously applauded; but scarcely a man moved from his seat in the crowded hall until Mr. Lincoln had been heard. Every one felt the fitness of his making the closing

CHAP. II. argument and exhortation, and right nobly did he honor their demand. A silence full of emotion filled the assembly as for a moment before beginning his tall form stood in commanding attitude on the rostrum, the impressiveness of his theme and the significance of the occasion reflected in his thoughtful and earnest features. The spell of the hour was visibly upon him; and holding his audience in rapt attention, he closed in a brilliant peroration with an appeal to the people to join the Republican standard, to

> Come as the winds come, when forests are rended;
> Come as the waves come, when navies are stranded.

The influence was irresistible; the audience rose and acknowledged the speaker's power with cheer upon cheer. Unfortunately the speech was never reported; but its effect lives vividly in the memory of all who heard it, and it crowned his right to popular leadership in his own State, which thereafter was never disputed.

The organization of the Republican party for the nation at large proceeded very much in the same manner as that in the State of Illinois. Pursuant to separate preliminary correspondence and calls from State committees, a general meeting of prominent Republicans and anti-Nebraska politicians from all parts of the North, and even from a few border slave States, came together at Pittsburgh
1856 on Washington's birthday, February 22. Ohio, New York, and Pennsylvania sent the largest contingents; but around this great central nucleus were gathered small but earnest delegations aggregating between three and four hundred zealous leaders,

representing twenty-eight States and Territories. It was merely an informal mass convention; but many of the delegates were men of national character, each of whose names was itself a sufficient credential. Above all, the members were cautious, moderate, conciliatory, and unambitious to act beyond the requirements of the hour. They contented themselves with the usual parliamentary routine; appointed a committee on national organization; issued a call for a delegate convention; and adopted and put forth a stirring address to the country. Their resolutions were brief and formulated but four demands: the repeal of all laws which allow the introduction of slavery into Territories once consecrated to freedom; resistance by constitutional means to slavery in any United States Territory; the immediate admission of Kansas as a free State, and the overthrow of the present national Administration.

In response to the official call embodied in the Pittsburgh address, the first National Convention of the Republican party met at Philadelphia on the 17th of June, 1856. The character and dignity of the Pittsburgh proceedings assured the new party of immediate prestige and acceptance; with so favorable a sponsorship it sprang full-armed into the political conflict. That conflict which opened the year with the long congressional contest over the speakership, and which found its only solution in the choice of Banks by a plurality vote, had been fed by fierce congressional debates, by presidential messages and proclamations, by national conventions, by the Sumner assault, by the Kansas war; the body politic throbbed with

CHAP. II. activity and excitement in every fiber. Every free State and several border States and Territories were represented in the Philadelphia Convention; its regular and irregular delegates counted nearly a thousand local leaders, full of the zeal of new proselytes; Henry S. Lane, of Indiana, was made its permanent chairman.

The party was too young and its prospect of immediate success too slender to develop any serious rivalry for a presidential nomination. Because its strength lay evidently among the former adherents of the now dissolved and abandoned Whig party, William H. Seward of course took highest rank in leadership; after him stood Salmon P. Chase as the representative of the independent Democrats, who, bringing fewer voters, had nevertheless contributed the main share of the courageous pioneer work. It is a just tribute to their sagacity that both were willing to wait for the maturer strength and riper opportunities of the new organization. Justice John McLean, of the Supreme Bench, an eminent jurist, a faithful Whig, whose character happily combined both the energy and the conservatism of the great West, also had a large following; but as might have been expected, the convention found a more typical leader, young in years, daring in character, brilliant in exploit; and after one informal ballot it nominated John C. Frémont, of California. The credit of the selection and its successful management has been popularly awarded to Francis P. Blair, senior, famous as the talented and powerful newspaper lieutenant of President Jackson; but it was rather an intuitive popular choice, which at the moment

MILLARD FILLMORE.

seemed so appropriate as to preclude necessity for artful intrigue.

There was a dash of romance in the personal history of Frémont which gave his nomination a high popular relish. Of French descent, born in Savannah, Georgia, orphaned at an early age, he acquired a scientific education largely by his own unaided efforts in private study; a sea voyage as teacher of mathematics, and employment in a railroad survey through the wilderness of the Tennessee Mountains, developed the taste and the qualifications that made him useful as an assistant in Nicollet's scientific exploration of the great plateau where the Mississippi River finds its sources, and secured his appointment as second lieutenant of topographical engineers. These labors brought him to Washington, where the same Gallic restlessness which made the restraint of schools insupportable, brought about an attachment, elopement, and marriage with the daughter of Senator Thomas H. Benton, of Missouri.

Reconciliation followed in good time; and the unexplored Great West being Benton's peculiar hobby, through his influence Frémont was sent with an exploring party to the Rocky Mountains. Under his command similar expeditions were repeated again and again to that mysterious wonderland; and never were the wildest fictions read with more avidity than his official reports of daily adventure, danger and discovery, of scaling unclimbed mountains, wrecking his canoes on the rapids of unvisited rivers, parleying and battling with hostile Indians, and facing starvation while hemmed in by trackless snows. One of these

CHAP. II. journeys had led him to the Pacific coast when our war with Mexico let loose the spirit of revolution in the Mexican province of California. With his characteristic restless audacity Frémont joined his little company of explorers to a local insurrectionary faction of American settlers, and raised a battalion of mounted volunteers. Though acting without Government orders, he coöperated with the United States naval forces sent to take possession of the California coast, and materially assisted in overturning the Mexican authority and putting the remnant of her military officials to flight. At the close of the conquest he was for a short time military governor; and when, through the famous gold discoveries, California was organized as a State and admitted to the Union, Frémont became for a brief period one of her first United States Senators.

So salient a record could not well be without strong contrasts, and of these unsparing criticism took advantage. Hostile journals delineated Frémont as a shallow, vainglorious, "woolly-horse," "mule-eating," "free-love," "nigger-embracing" black Republican; an extravagant, insubordinate, reckless adventurer; a financial spendthrift and political mountebank. As the reading public is not always skillful in winnowing truth from libel when artfully mixed in print, even the grossest calumnies were not without their effect in contributing to his defeat. But to the sanguine zeal of the new Republican party, the "Pathfinder" was a heroic and ideal leader; for, upon the vital point at issue, his antislavery votes and clear declarations satisfied every doubt and inspired unlimited confidence.

However picturesquely Frémont for the moment loomed up as the standard-bearer of the Republican party, historical interest centers upon the second act of the Philadelphia Convention. It shows us how strangely to human wisdom vibrate the delicately balanced scales of fate; or rather how inscrutable and yet how unerring are the far-reaching processes of divine providence. The principal candidate having been selected without contention or delay, the convention proceeded to a nomination for Vice-President. On the first informal ballot William L. Dayton, of New Jersey, received 259 votes and Abraham Lincoln, of Illinois, 110; the remaining votes being scattered among thirteen other names.[1] The dominating thought of the convention being the assertion of principle, and not the promotion of men, there was no further contest;[2] and though Mr. Dayton had not received a majority support, his nomination was nevertheless at once made unanimous. Those who are familiar with the eccentricities of nominating conventions when in this listless and drifting mood know how easily an opportune speech from some eloquent delegate or a few adroitly arranged

[1] For David Wilmot, of Pennsylvania, 43; Preston King, of New York, 9; Charles Sumner, of Massachusetts, 36; Thomas H. Ford, of Ohio, 7; Cassius M. Clay, of Kentucky, 3; Jacob Collamer, of Vermont, 15; William F. Johnston, of Pennsylvania, 2; Nathaniel P. Banks, of Massachusetts, 46; Henry Wilson, of Massachusetts, 7; William Pennington, of New Jersey, 1; —— Carey, of New Jersey, 3; S. C. Pomeroy, of Kansas, 8; J. R. Giddings, of Ohio, 2. The vote in detail for Lincoln was: Maine, 1; New Hampshire, 8; Massachusetts, 7; Rhode Island, 2; New York, 3; Pennsylvania, 11; Ohio, 2; Indiana, 26; Illinois, 33; Michigan, 5; and California, 12.

[2] Mr. T. S. Van Dyke, son of one of the delegates, kindly writes us: "Nothing that Mr. Lincoln has ever written is more characteristic than the following note from him to my father just after the

CHAP. II. delegation caucuses might have reversed this result; and imagination may not easily construct the possible changes in history which a successful campaign of the ticket in that form might have wrought. What would have been the consequences to America and humanity had the Rebellion, even then being vaguely devised by Southern Hotspurs, burst upon the nation in the winter of 1856, with the nation's sword of commander-in-chief in the hand of the impulsive Frémont, and Lincoln, inheriting the patient wariness and cool blood of three generations of pioneers and Indian-fighters, wielding only the powerless gavel of Vice-President? But the hour of destiny had not yet struck.

The platform devised by the Philadelphia Convention was unusually bold in its affirmations, and most happy in its phraseology. Not only did it "deny the authority of Congress, or of a territorial legislature, of any individual or association of individuals, to give legal existence to slavery in any Territory of the United States"; it further "Resolved, That the Constitution confers upon Congress sovereign power over the Territories of the United States for their government, and that in the exercise of this power it is both the right and the duty of Congress to prohibit in the Territories those

convention — not for publication, but merely as a private expression of his feelings to an old acquaintance:

"SPRINGFIELD, ILL.,
"June 27, 1856.

"Hon. JOHN VAN DYKE.

"MY DEAR SIR: Allow me to thank you for your kind notice of me in the Philadelphia Convention.

"When you meet Judge Dayton present my respects, and tell him I think him a far better man than I for the position he is in, and that I shall support both him and Colonel Frémont most cordially. Present my best respects to Mrs. V., and believe me,

"Yours truly,
"A. LINCOLN."

twin relics of barbarism — polygamy and slavery." At Buchanan, recently nominated by the Democratic National Convention in Cincinnati, it aimed a barbed shaft: "Resolved, That the highwayman's plea that 'might makes right,' embodied in the Ostend circular, was in every respect unworthy of American diplomacy, and would bring shame and dishonor upon any government or people that gave it their sanction." It demanded the maintenance of the principles of the Declaration of Independence, of the Federal Constitution, of the rights of the States, and the union of the States. It favored a Pacific railroad, congressional appropriations for national rivers and harbors; it affirmed liberty of conscience and equality of rights; it arraigned the policy of the Administration; demanded the immediate admission of Kansas as a State, and invited "the affiliation and coöperation of men of all parties, however differing from them in other respects, in support of the principles declared." CHAP. II.

The nominees and platform of the Philadelphia Convention were accepted by the opposition voters of the free States with an alacrity and an enthusiasm beyond the calculation of even the most sanguine; and in November a vote was recorded in their support which, though then unsuccessful, laid the secure foundation of an early victory, and permanently established a great party destined to carry the country through trials and vicissitudes equal in magnitude and results to any which the world had hitherto witnessed.

In that year none of the presidential honors were reserved for the State of Illinois. While 1856.

CHAP. II. Lincoln thus narrowly missed a nomination for the second place on the Republican ticket, his fellow-citizen and competitor, Douglas, failed equally to obtain the nomination he so much coveted as the candidate of the Democratic party. The Democratic National Convention had met at Cincinnati on the 2d day of June, 1856. If Douglas flattered himself that such eminent services as he had rendered the South would find this reward, his disappointment must have been severe. While the benefits he had conferred were lightly estimated or totally forgotten, former injuries inflicted in his name were keenly remembered and resented. But three prominent candidates, Buchanan, Pierce, and Douglas, were urged upon the convention. The indiscreet crusade of Douglas's friends against "old fogies" in 1852 had defeated Buchanan and nominated Pierce; now, by the turn of political fortune, Buchanan's friends were able to wipe out the double score by defeating both Pierce and Douglas. Most of the Southern delegates seem to have been guided by the mere thought of present utility; they voted to renominate Pierce because of his subservient Kansas policy, forgetting that Douglas had not only begun it, but was their strongest ally to continue it. When after a day of fruitless balloting they changed their votes to Douglas, Buchanan, the so-called "old fogy," just returned from the English mission, and therefore not handicapped by personal jealousies and heart-burnings, had secured the firm adhesion of a decided majority mainly from the North.[1]

[1] On the sixteenth ballot Buchanan received 168 votes, of which 121 were from the free States and 47 from the slave

The "two-thirds rule" was not yet fulfilled, but at this juncture the friends of Pierce and Douglas yielded to the inevitable, and withdrew their favorites in the interest of "harmony." On the seventeenth ballot, therefore, and the fifth day of the convention, James Buchanan, of Pennsylvania, became the unanimous nominee of the Democratic party for President, and John C. Breckinridge, of Kentucky, for Vice-President.

The famous "Cincinnati platform" holds a conspicuous place in party literature for length, for vigor of language, for variety of topics, for boldness of declaration; and yet, strange to say, its chief merit and utility lay in the skillful concealment of its central thought and purpose. About one-fourth of its great length is devoted to what to the eye looks like a somewhat elaborate exposition of the doctrines of the party on the slavery question. Eliminate the verbiage and there only remains an indorsement of the "principles contained in the organic laws establishing the Territory of Kansas and Nebraska" (non-interference by Congress with slavery in State and Territory, or in the District of Columbia); and the practical application of "the principles" is thus further defined: "Resolved, That we recognize the right of the people of all the Territories, including Kansas and Nebraska, acting through the legally and fairly expressed will of a majority of actual residents, and whenever the number of their inhabitants justifies it, to form a constitution with or without domestic

States; Douglas received 122 votes, of which 49 were from the free States and 73 from the slave States; Cass received 6 votes, all from the free States; Pierce had been finally dropped on the previous ballot.— "Proceedings of the Cincinnati Convention," p. 45.

CHAP. II. slavery, and be admitted into the Union upon terms of perfect equality with the other States."

We have already seen how deliberately the spirit and letter of "the principle" was violated by the Democratic National Administration of President Pierce, and by nearly all the Democratic Senators and Representatives in Congress; and we shall see how the more explicit resolution was again even more flagrantly violated by the Democratic National Administration and party under President Buchanan.

For the time, however, these well-rounded phrases were especially convenient: first, to prevent any schism in the Cincinnati Convention itself, and, secondly, to furnish points for campaign speeches; politicians not having any pressing desire, nor voters the requisite critical skill, to demonstrate how they left untouched the whole brood of pertinent queries which the discussion had already raised, and which at its next national convention were destined to disrupt and defeat the Democratic party. For this occasion the studied ambiguity of the Cincinnati platform made possible a last coöperation of North and South, in the face of carefully concealed mental reservations, to secure a presidential victory.

It is not the province of this work to describe the incidents of the national canvass, but only to record its results. At the election of November, 1856, Buchanan was chosen President. The popular vote in the nation at large stood: Buchanan, 1,838,169; Frémont, 1,341,264; Fillmore, 874,534. By States Buchanan received the votes of fourteen slave States and five free States, a total of 174

electors; Frémont the vote of eleven free States, a total of 114 electors; and Fillmore the vote of one slave State, a total of eight electors.[1]

In the campaign which preceded Mr. Buchanan's election, Mr. Lincoln, at the head of the Frémont electoral ticket for Illinois, took a prominent part, traversing the State in every direction, and making about fifty speeches. Among the addresses which he thus delivered in the different counties, it is interesting to read a fragment of a speech he made at Galena, Illinois, discussing the charge of "sectionalism," the identical pretext upon which the South inaugurated its rebellion against his Administration four years afterwards:

You further charge us with being disunionists. If you mean that it is our aim to dissolve the Union, I for myself answer that it is untrue; for those who act with me I answer that it is untrue. Have you heard us assert that as our aim? Do you really believe that such is our aim? Do you find it in our platform, our speeches, our conventions, or anywhere? If not, withdraw the charge.

But you may say that though it is not our aim, it will be the result, if we succeed, and that we are therefore disunionists in fact. This is a grave charge you make against us, and we certainly have a right to demand that you specify in what way we are to dissolve the Union. How are we to effect this?

The only specification offered is volunteered by Mr. Fillmore in his Albany speech. His charge is that if we

[1] The vote more in detail was as follows:

For Buchanan, slave States, Alabama, 9; Arkansas, 4; Delaware, 3; Florida, 3; Georgia, 10; Kentucky, 12; Louisiana, 6; Mississippi, 7; Missouri, 9; North Carolina, 10; South Carolina, 8; Tennessee, 12; Texas, 4; Virginia, 15. Free States, California, 4; Illinois, 11; Indiana, 13; New Jersey, 7; Pennsylvania, 27. Total, 174.

For Frémont, free States, Connecticut, 6; Iowa, 4; Maine, 8; Massachusetts, 13; Michigan, 6; New Hampshire, 5; New York, 35; Ohio, 23; Rhode Island, 4; Vermont, 5; Wisconsin, 5. Total, 114.

For Fillmore, slave State, Maryland, 8.

CHAP. II. elect a President and Vice-President both from the free States it will dissolve the Union. This is open folly. The Constitution provides that the President and Vice-President of the United States shall be of different States; but says nothing as to the latitude and longitude of those States. In 1828 Andrew Jackson, of Tennessee, and John C. Calhoun, of South Carolina, were elected President and Vice-President, both from slave States; but no one thought of dissolving the Union then on that account. In 1840 Harrison, of Ohio, and Tyler, of Virginia, were elected. In 1841 Harrison died and John Tyler succeeded to the presidency, and William R. King, of Alabama, was elected acting Vice-President by the Senate; but no one supposed that the Union was in danger. In fact, at the very time Mr. Fillmore uttered this idle charge, the state of things in the United States disproved it. Mr. Pierce, of New Hampshire, and Mr. Bright, of Indiana, both from free States, are President and Vice-President, and the Union stands and will stand. You do not pretend that it ought to dissolve the Union, and the facts show that it won't; therefore the charge may be dismissed without further consideration.

No other specification is made, and the only one that could be made is, that the restoration of the restriction of 1820 making the United States territory free territory would dissolve the Union. Gentlemen, it will require a decided majority to pass such an act. We, the majority, being able constitutionally to do all that we purpose, would have no desire to dissolve the Union. Do you say that such restriction of slavery would be unconstitutional, and that some of the States would not submit to its enforcement? I grant you that an unconstitutional act is not a law; but I do not ask and will not take your construction of the Constitution. The Supreme Court of the United States is the tribunal to decide such a question, and we will submit to its decisions; and if you do also, there will be an end of the matter. Will you? If not, who are the disunionists, you or we? We, the majority, would not strive to dissolve the Union; and if any attempt is made it must be by you, who so loudly stigmatize us as disunionists.

But the Union, in any event, will not be dissolved.

We don't want to dissolve it, and if you attempt it we won't let you. With the purse and sword, the army and navy and treasury in our hands and at our command, you could not do it. This government would be very weak indeed if a majority with a disciplined army and navy and a well-filled treasury could not preserve itself, when attacked by an unarmed, undisciplined, unorganized minority. All this talk about the dissolution of the Union is humbug, nothing but folly. We do not want to dissolve the Union; you shall not.

Galena "Advertiser," copied into the Illinois "State Journal," August 8, 1856.

With three presidential tickets in the field — with the Democrats seeking the election of Buchanan and Breckinridge, the Americans, or Know-Nothings, asking votes for Fillmore and Donelson, and the Republicans making proselytes for Frémont and Dayton — the political campaign of 1856 was one of unabated activity and excitement. In the State of Illinois the contest resulted in a drawn battle. The American party held together with tolerable firmness in its vote for President, but was largely disintegrated in its vote on the ticket for State officers. The consequence was that Illinois gave a plurality of 9164 for Buchanan, the Democratic candidate for President, while at the same time it gave a plurality of 4729 for Bissell, the Republican candidate for Governor.[1]

Half victory as it was, it furnished the Illinois Republicans a substantial hope of the full triumph which they achieved four years later. About a month after this election, at a Republican banquet given in Chicago on the 10th of December, 1856, Abraham Lincoln spoke as follows, partly in criticism of the last annual message of President

[1] For President, Buchanan (Democrat), 105,344; Frémont (Republican), 96,180; Fillmore (American), 37,451. For Governor, Richardson (Democrat), 106,643; Bissell (Republican), 111,372; Morris (American), 19,241.

CHAP. II. Pierce, but more especially pointing out the rising star of promise:

> We have another annual presidential message. Like a rejected lover making merry at the wedding of his rival, the President felicitates himself hugely over the late presidential election. He considers the result a signal triumph of good principles and good men, and a very pointed rebuke of bad ones. He says the people did it. He forgets that the "people," as he complacently calls only those who voted for Buchanan, are in a minority of the whole people by about four hundred thousand votes — one full tenth of all the votes. Remembering this, he might perceive that the "rebuke" may not be quite as durable as he seems to think — that the majority may not choose to remain permanently rebuked by that minority.
>
> The President thinks the great body of us Frémonters, being ardently attached to liberty, in the abstract, were duped by a few wicked and designing men. There is a slight difference of opinion on this. We think he, being ardently attached to the hope of a second term, in the concrete, was duped by men who had liberty every way. He is the cat's-paw. By much dragging of chestnuts from the fire for others to eat, his claws are burnt off to the gristle, and he is thrown aside as unfit for further use. As the fool said of *King Lear*, when his daughters had turned him out-of-doors, "He's a shelled peascod." [That's a sheal'd peascod.]
>
> So far as the President charges us "with a desire to change the domestic institutions of existing States," and of "doing everything in our power to deprive the Constitution and the laws of moral authority," for the whole party on belief, and for myself on knowledge, I pronounce the charge an unmixed and unmitigated falsehood.
>
> Our government rests in public opinion. Whoever can change public opinion can change the government practically just so much. Public opinion, on any subject, always has a "central idea," from which all its minor thoughts radiate. That "central idea" in our political public opinion at the beginning was, and until recently

has continued to be, "the equality of men." And although it has always submitted patiently to whatever of inequality there seemed to be as matter of actual necessity, its constant working has been a steady progress towards the practical equality of all men. The late presidential election was a struggle by one party to discard that central idea and to substitute for it the opposite idea that slavery is right in the abstract, the workings of which as a central idea may be the perpetuity of human slavery and its extension to all countries and colors. Less than a year ago the Richmond "Enquirer," an avowed advocate of slavery, regardless of color, in order to favor his views, invented the phrase "State equality," and now the President, in his message, adopts the "Enquirer's" catch-phrase, telling us the people "have asserted the constitutional equality of each and all of the States of the Union as States." The President flatters himself that the new central idea is completely inaugurated; and so indeed it is, so far as the mere fact of a presidential election can inaugurate it. To us it is left to know that the majority of the people have not yet declared for it, and to hope that they never will. All of us who did not vote for Mr. Buchanan, taken together, are a majority of four hundred thousand. But in the late contest we were divided between Frémont and Fillmore. Can we not come together for the future? Let every one who really believes, and is resolved, that free society is not and shall not be a failure, and who can conscientiously declare that in the past contest he has done only what he thought best, let every such one have charity to believe that every other one can say as much. Thus let bygones be bygones; let past differences as nothing be; and with steady eye on the real issue, let us reinaugurate the good old "central ideas" of the republic. We can do it. The human heart is with us; God is with us. We shall again be able not to declare that "all States as States are equal," nor yet that "all citizens as citizens are equal," but to renew the broader, better declaration, including both these and much more, that "all men are created equal."

Illinois "State Journal," December 16, 1856.

Though these fragments of addresses give us only an imperfect reflection of the style of Mr.

CHAP. II. Lincoln's oratory during this period, they nevertheless show its essential characteristics, a pervading clearness of analysis, and that strong tendency to axiomatic definition which gives so many of his sentences their convincing force and durable value. They also show us the combination, not often found in such happy balance, of the politician's discernment of fact with the statesman's wisdom of theory — how present forces of national life are likely to be moved by future impulses of national will. The politician could see the four hundred thousand voters who would give victory to some party in the near future. It required the wisdom of the statesman to divine that the public opinion which would direct how these votes were to be cast, could most surely be created by an appeal to those generous "central ideas" of the human mind which favor equality against caste and freedom against slavery. Perhaps the most distinctively representative quality these addresses exhibit is the patriotic spirit and faith which led him to declare so dogmatically in this campaign of 1856, what the nation called upon him a few years later to execute by the stern powers of war, "We do not want to dissolve the Union; you shall not."

CHAPTER III

CONGRESSIONAL RUFFIANISM

THE official reports show that the proceedings of the American Congress, while in the main conducted with becoming propriety and decorum, have occasionally been dishonored by angry personal altercations and scenes of ruffianly violence. These disorders increased as the great political struggle over the slavery question grew in intensity, and reached their culmination in a series of startling incidents.

Charles Sumner, one of the Senators from the State of Massachusetts, had become conspicuous, in the prevailing political agitation, for his aggressive and radical antislavery speeches in the Senate and elsewhere. The slavery issue had brought him into politics; he had been elected to the United States Senate by the coalition of a small number of Free-soilers with the Democrats in the Massachusetts Legislature.

The slavery question, therefore, became the dominant principle and the keynote of his public career. He was a man of liberal culture, of considerable erudition in the law, of high literary ability, and he had attained an enviable social

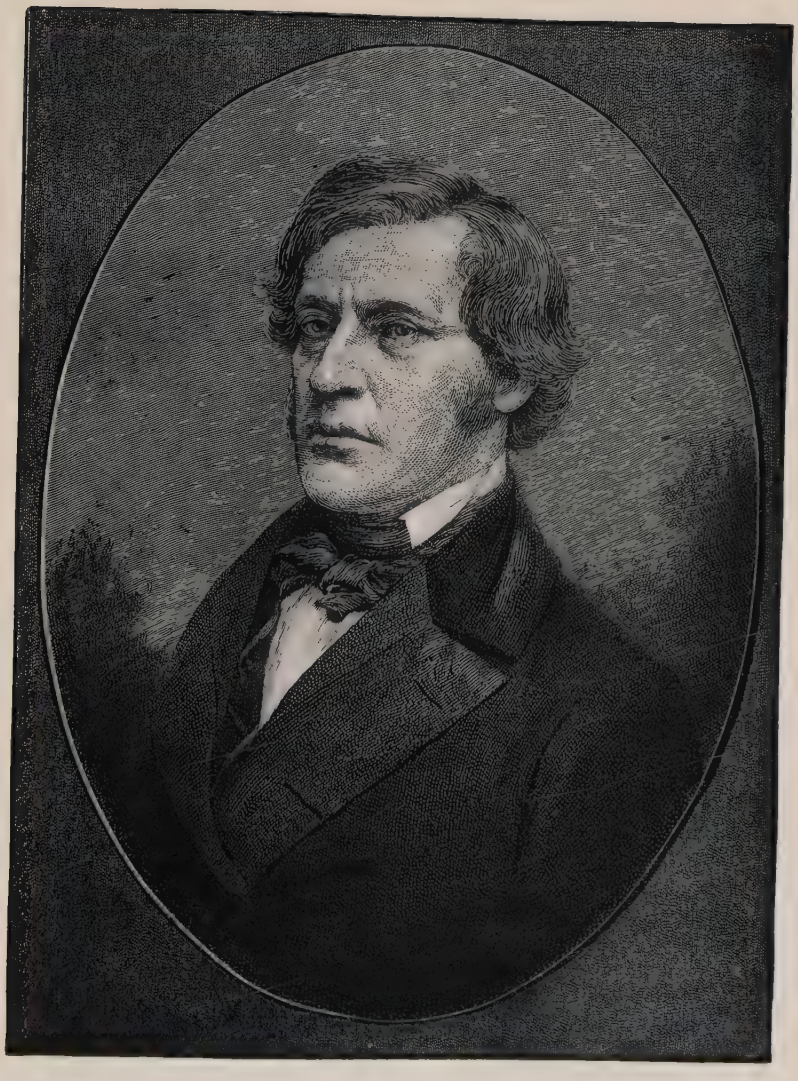
CHAP. III. eminence. Of large physical frame and strength, gifted with a fine presence and a sonorous voice, fearless and earnest in his opposition to slavery, Charles Sumner was one of the favorite orators of the early declamatory period of the Republican party.

He joined unreservedly in the exciting Senate debates, provoked by the rival applications from Kansas for her admission as a State. On the 19th and 20th of May, 1856, he delivered an elaborate speech in the Senate, occupying two days. It was one of his greatest efforts, and had been prepared with his usual industry. In character it was a philippic rather than an argument, strong, direct, and aggressive, in which classical illustration and acrimonious accusation were blended with great effect.

It described what he called "The Crime against Kansas"; and the excuses for the crime he denominated the apology tyrannical, the apology imbecile, the apology absurd, and the apology infamous. "Tyranny, imbecility, absurdity, and infamy," he continued, "all unite to dance, like the weird sisters, about this crime."

In the course of his speech he alluded, among others, to A. P. Butler, of South Carolina, and in reply to some severe strictures by that Senator during preceding debates, indulged in caustic personal criticism upon his course and utterance, as well as upon the State which he represented.

> With regret [said Sumner], I come again upon the Senator from South Carolina [Mr. Butler], who, omnipresent in this debate, overflowed with rage at the simple suggestion that Kansas had applied for admission as a



CHARLES SUMNER.

State; and with incoherent phrases discharged the loose expectoration of his speech, now upon her representative and then upon her people. There was no extravagance of the ancient parliamentary debate which he did not repeat; nor was there any possible deviation from truth which he did not make, with so much of passion, I am glad to add, as to save him from the suspicion of intentional aberration. But the Senator touches nothing which he does not disfigure — with error, sometimes of principle, sometimes of fact. He shows an incapacity of accuracy, whether in stating the Constitution or in stating the law, whether in details of statistics or the diversions of scholarship. He cannot open his mouth but out there flies a blunder. CHAP. II.

Butler was not present in the Senate on either day; what he might have said or done, had he been there, can only be conjectured. The immediate replies from Douglas and others were very bitter. Among pro-slavery members of both Houses there was an under-current of revengeful murmurs. It is possible that this hostile manifestation may have decided a young member of the House, Preston S. Brooks, a nephew of Senator Butler, to undertake retaliation by violence. Acquainting Henry A. Edmundson, another member, with his design, he waited on two different occasions at the western entrance to the Capitol grounds to encounter Mr. Sumner, but without meeting him.

On the 22d of May, two days after the speech, Brooks entered the Senate Chamber on the same errand. The session had been short, and after adjournment Sumner remained at his desk, engaged in writing. The sessions were at that time held in the old Senate Chamber, now occupied by the Supreme Court. The seats were arranged in semicircles, with a railing to separate them from a 1856.

CHAP. III. narrow lobby or open space next the wall; a broad aisle ran from the main door to the desk of the presiding officer. Mr. Sumner's seat was in the outside row next to the railing, at the second desk to the right from the entrance and the main aisle. Occupied with his work, Mr. Sumner did not notice Mr. Brooks, sitting across the aisle to his left, and where in conversation with a friend he was manifesting his impatience that a lady seated near Mr. Sumner did not take her departure from the chamber. Almost at that moment she arose and went out; quickly afterwards Brooks got up and advanced to the front of Sumner's desk. The act attracted the attention of Brooks's friend; he was astonished, amid the bitterness of party feeling, to see a South Carolina Representative talk to a Massachusetts Senator. His astonishment was quickly corrected. Leaning upon the desk and addressing Sumner with a rapid sentence or two, to the effect that he had read his speech, that it was a libel upon his absent relative, and that he had come to punish him for it, Brooks began striking him on the head with a gutta-percha walking-cane, of the ordinary length and about an inch in diameter.

Surprised, blinded and stunned by the blows, Sumner's first instinct was to grapple with his assailant. This effort, however, was futile; the desk was between them, and being by his sitting posture partially under it, Sumner was prevented from rising fully to his feet until he had by main strength, in his struggles, wrenched it from its fastenings on the floor. In his attempt to follow Brooks they became turned, and from between the

desks moved out into the main aisle. By this time, through the repetition of the heavy blows and loss of blood, Sumner became unconscious. Brooks, seizing him by the coat-collar, continued his murderous attack till Sumner, reeling in utter helplessness, sank upon the floor beside the desk nearest the aisle, one row nearer the center of the chamber than his own. The witnesses variously estimated the number of blows given at from ten to thirty. Two principal wounds, two inches long and an inch deep, had been cut on the back of Sumner's head; and near the end of the attack, Brooks's cane was shivered to splinters.

There were perhaps ten or fifteen persons in the chamber, and after the first momentary pause of astonishment half a dozen started to interfere. Before they reached the spot, however, Lawrence M. Keitt, another South Carolina Representative, came rushing down the main aisle, brandishing his cane, and with imprecations warning lookers-on to "let them alone." Among those hastening to the rescue, Mr. Morgan arrived first, just in time to catch and sustain the Senator as he fell. Another bystander, who had run round outside the railing, seized Brooks by the arm about the same instant; and the wounded man was borne to an adjoining room, where he was cared for by a hastily summoned physician.

Among Mr. Sumner's friends the event created a certain degree of consternation. The language which provoked the assault, whatever might be thought of its offensive character, was strictly parliamentary, uninterrupted either by the chair or by any member. The assault itself was so des-

CHAP. III. perate and brutal that it implied a vindictiveness deeper than mere personal revenge. This spirit of bullying, this resort to violence, had recently become alarmingly frequent among members of Congress, especially as it all came from the pro-slavery party. Since the beginning of the current session, a pro-slavery member from Virginia had assaulted the editor of a Washington newspaper; another pro-slavery member, from Arkansas, had violently attacked Horace Greeley on the street; a third pro-slavery member, from California, had shot an unoffending waiter at Willard's Hotel. Was this fourth instance the prelude of an intention to curb or stifle free Congressional debate? It is probable that this question was seriously considered at the little caucus of Republican Senators held that night at the house of Mr. Seward. The Republicans had only a slender minority in the Senate, and a plurality in the House; they could do nothing but resolve on a course of parliamentary inquiry, and agree on an attitude of defense.

Sumner's colleague, Henry Wilson, made a very brief announcement of the occurrence to the Senate on the following day, and it at once became apparent that the transaction would assume an almost strictly party character. As no Democratic Senator proposed an inquiry, Mr. Seward moved for a committee of investigation; upon which James M. Mason, of Virginia, proposed that the committee should be elected by ballot. The result was that no Republican was chosen upon it; and the committee reached the conclusion that it had no power in the premises, except to report the occurrence to the House. In the House the usual committee

from the three parties was raised, resulting in two reports. The minority, sustained by the vote of sixty members, pleaded a want of jurisdiction. The majority recommended the expulsion of Brooks, and expressed disapprobation by the House of the course of his colleague, Edmundson, in countenancing the assault, and of the act of Keitt in his personal interference. But the necessary two-thirds vote for the expulsion of Brooks could not be obtained; a vote of censure was therefore passed by a large majority. The discussion of the report and resolutions occupied the House several days, and whatever effort members made to disguise their motives, their actions, either of condemnation or of excuse, arose in the main clearly enough from their party relations. Under the forms of parliamentary debate, the South and the North were breathing mutual recrimination and defiance.

The public of both sections took up the affair with equal party zeal. From the North came resolutions of legislatures, outbursts of indignation in meetings and addresses, and the denunciation of Brooks and his deed in the newspapers. In the South the exactly opposite sentiment predominated. Brooks was defended and eulogized, and presented with canes and pitchers as testimonials to his valor. When the resolution of censure had been passed, he at once resigned his seat in the House, and going home to his constituents, was immediately reëlected. Within three weeks he reappeared at the bar of the House, with a new commission from his Governor, and was sworn in and continued his service as before. The arrogant

CHAP. III. address which preceded his resignation contained the remarkable intimation that much more serious results might have grown out of the incident. "No act of mine," he said, "on my personal account, shall inaugurate revolution; but when you, Mr. Speaker, return to your own home, and hear the people of the great North — and they are a great people — speak of me as a bad man, you will do me the justice to say that a blow struck by me at this time would be followed by a revolution; and this I know."

Under the state of public sentiment then prevailing at the South, it would have been strange if the extraordinary event and the succeeding debate had not provoked other similar affairs. Mr. Sumner's colleague, Senator Henry Wilson, of Massachusetts (afterwards Vice-President of the United States), in his speech characterized the assault as "brutal, murderous, and cowardly." For this language Brooks sent him a challenge. Wilson wrote a reply declining the encounter, but in the same letter announcing that "I religiously believe in the right of self-defense, in its broadest sense."

One of the sharpest denunciations of the assault was made by Anson Burlingame, a Massachusetts Representative (afterwards United States Minister to China, and still later Chinese Minister to the United States). "I denounce it," he said, "in the name of the Constitution it violates. I denounce it in the name of the sovereignty of Massachusetts, which was stricken down by the blow. I denounce it in the name of humanity. I denounce it in the name of civilization, which it outraged. I denounce it in the name of that fair-play which bullies and

prize-fighters respect." For this, after some efforts had been made by friends to bring about an amicable understanding, Brooks sent him also a challenge. Mr. Burlingame accepted the challenge, and his second designated the Clifton House in Canada as the rendezvous and rifles as weapons. Burlingame at once started on the journey; but Brooks declined to go, on the excuse that his life would not be safe on such a trip through the North.

Broadened into national significance by all these attendant circumstances, the Sumner assault became a leading event in the great slavery contest between the South and North. It might well rank as one of the episodes of the civil war then raging in Kansas, out of which it had in reality grown, and with which it was intertwined in motive, act, and comment. In result the incident was extremely damaging to the South, for it tended more than any single Border-Ruffian crime in Kansas to unite hesitating and wavering opinion in the North against the alarming flood of lawlessness and violence, which as a rule found its origin and its defense in the ranks of the pro-slavery party. Certainly no phase of the transaction was received by the North with such popular favor as some of the bolder avowals by Northern Representatives of their readiness to fight, and especially by Burlingame's actual acceptance of the challenge of Brooks.

The shock of the attack, and the serious wounds received by Mr. Sumner, produced a spinal malady, from which he rallied with great difficulty, and only after severe medical treatment and years of enforced abstinence from work. As the constit-

CHAP. III.

uents of Brooks sent him back to the House, so also the Legislature of Massachusetts, in January, 1857, with but few dissenting votes, reëlected Sumner to a new senatorial term, beginning the 4th of March. He came to Washington and was sworn in, but within a few days sailed for Europe, and during the greater part of the long interim between that time and the succeeding Presidential campaign his seat in the Senate remained vacant.

It was on the 4th of June, 1860, that he again raised his voice in debate. Some changes had occurred: both Butler and Brooks were dead;[1] the Senate was assembled in its new hall in the north wing of the Capitol extension. But in the main the personnel and the spirit of the pro-slavery party still confronted him. "Time has passed," he said, "but the question remains." A little more than four years before, he had essayed to describe "The Crime against Kansas"; now, in an address free from offensive personalities but more unsparing in rhetoric and stronger in historical arraignment, he delineated what he named the "Barbarism of Slavery." Picturing to ourselves the orator, the circumstances, and the theme, we can comprehend the exaltation with which he exclaimed in his exordium: "Slavery must be resisted not only on political grounds, but on all other grounds, whether social, economical, or moral. Ours is no holiday contest; nor is it any strife of rival factions — of White and Red Roses; of theatric Neri and Bianchi; but it is a solemn battle between Right and Wrong, between Good and Evil. . . Grander debate has

[1] Preston S. Brooks died in Washington, January 27, 1857; Andrew P. Butler died in South Carolina, May 25, 1857.

not occurred in our history, rarely in any history; nor can this debate close or subside except with the triumph of Freedom."

With this speech Sumner resumed his place as a conspicuous figure and an indefatigable energy in national politics and legislation, tireless in attacking and pursuing slavery until its final overthrow.

CHAPTER IV

THE DRED SCOTT DECISION

CHAP. IV. 1854.

DEEP and widespread as hitherto had been the slavery agitation created by the repeal of the Missouri Compromise and by the consequent civil war in Kansas, an event entirely unexpected to the public at large suddenly doubled its intensity. This was the announcement, two days after Buchanan's inauguration, of the decision of the Supreme Court of the United States in the Dred Scott case. This celebrated case had arisen as follows:

March 6, 1857.

Two or three years before the Nebraska bill was thought of, a suit was begun by a negro named Dred Scott, in a local court in St. Louis, Missouri, to recover the freedom of himself and his family from slavery. He alleged that his master, one Dr. Emerson, an army surgeon, living in Missouri, had taken him as his slave to the military post at Rock Island, in the State of Illinois, and afterwards to Fort Snelling, situated in what was originally Upper Louisiana, but was at that time part of Wisconsin Territory, and now forms part of Minnesota. While at this latter post Dred Scott, with his master's consent, married a colored woman, also brought as a slave from Missouri, and of this mar-

riage two children were born. All this happened between the years 1834 and 1838. Afterwards Dr. Emerson brought Dred Scott and his family back to Missouri. In this suit they now claimed freedom, because during the time of residence with their master at these military posts slavery was there prohibited by positive law; namely, at Rock Island by the ordinance of 1787, and later by the Constitution of Illinois; at Fort Snelling by the Missouri Compromise acts of 1820, and other acts of Congress relating to Wisconsin Territory.

The local court in St. Louis before which this action was brought appears to have made short work of the case. It had become settled legal doctrine by Lord Mansfield's decision in the Somersett case, rendered four years before our Declaration of Independence, that "the state of slavery is of such a nature that it is incapable of being introduced on any reasons, moral or political, but only positive law. . . It is so odious that nothing can be suffered to support it but positive law." The learned chief-justice therefore ordered that Somersett, being claimed as a Virginia slave brought by his master into England, when it was attempted to carry him away against his will, should be discharged from custody or restraint, because there was no positive law in England to support slavery. The doctrine was subsequently modified by another English chief-justice, Lord Stowell, in 1827, to the effect that absence of positive law to support slavery in England only operates to suspend the master's authority, which is revived if the slave voluntarily returns into an English colony where slavery does exist by positive law.

CHAP. IV. The States of the Union naturally inherited and retained the common law of England, and the principles and maxims of English jurisprudence not necessarily abrogated by the change of government, and among others this doctrine of Lord Mansfield. Unlike England, however, where there was no slavery and no law for or against it, some of the American States had positive laws establishing slavery, others positive laws prohibiting it. Lord Mansfield's doctrine, therefore, enlarged and strengthened by American statutes and decisions, had come to be substantially this: Slavery, being contrary to natural right, exists only by virtue of local law; if the master takes his slave for permanent residence into a jurisdiction where slavery is prohibited, the slave thereby acquires a right to his freedom everywhere. On the other hand, Lord Stowell's doctrine was similarly enlarged and strengthened so as to allow the master right of transit and temporary sojourn in free States and Territories without suspension or forfeiture of his authority over his slave. Under the complex American system of government, in which the Federal Union and the several States each claim sovereignty and independent action within certain limitations, it became the theory and practice that towards each other the several States occupied the attitude of foreign nations, which relation was governed by international law, and that the principle of comity alone controlled the recognition and enforcement by any State of the law of any other State. Under this theory, the courts of slave States had generally accorded freedom to slaves, even when acquired by the laws of a free State,

and reciprocally the courts of free States had enforced the master's right to his slave where that right depended on the laws of a slave State. In this spirit, and conforming to this established usage, the local court of Missouri declared Dred Scott and his family free.

The claimant, loath to lose these four human "chattels," carried the case to the Supreme Court of the State of Missouri, where at its March term, 1852, it was reversed, and a decree rendered that these negroes were not entitled to freedom. Three judges formed the court, and two of them joined in an opinion bearing internal evidence that it was prompted, not by considerations of law and justice, but by a spirit of retaliation growing out of the ineradicable antagonism of freedom and slavery.

Every State [says the opinion] has the right of determining how far, in a spirit of comity, it will respect the laws of other States. Those laws have no intrinsic right to be enforced beyond the limits of the State for which they were enacted. The respect allowed them will depend altogether on their conformity to the policy of our institutions. No State is bound to carry into effect enactments conceived in a spirit hostile to that which pervades her own laws. . It is a humiliating spectacle to see the courts of a State confiscating the property of her own citizens by the command of a foreign law. . . Times now are not as they were when the former decisions on this subject were made. Since then not only individuals but States have been possessed with a dark and fell spirit in relation to slavery, whose gratification is sought in the pursuit of measures whose inevitable consequence must be the overthrow and destruction of our Government. Under such circumstances it does not behoove the State of Missouri to show the least countenance to any measure which might gratify this spirit. She is

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Scott, J., 15 Mo. Reports, pp. 582–6.

willing to assume her full responsibility for the existence of slavery within her limits, nor does she seek to share or divide it with others.

To this partisan bravado the third judge replied with a dignified rebuke; in his dissenting opinion he said:

As citizens of a slave-holding State, we have no right to complain of our neighbors of Illinois, because they introduce into their State Constitution a prohibition of slavery; nor has any citizen of Missouri who removes with his slave to Illinois a right to complain that the fundamental law of the State to which he removes, and in which he makes his residence, dissolves the relation between him and his slave. It is as much his own voluntary act as if he had executed a deed of emancipation. . . There is with me nothing in the law relating to slavery which distinguishes it from the law on any other subject, or allows any more accommodation to the temporary public excitements which are gathered around it. . . In this State it has been recognized from the beginning of the government, as a correct position in law, that a master who takes his slave to reside in a State or Territory where slavery is prohibited thereby emancipates his slave. [Citing cases.] . . . But the Supreme Court of Missouri, so far from standing alone on this question, is supported by the decisions of other slave States, including those in which it may be supposed there was the least disposition to favor emancipation. [Citing cases.] . . . Times may have changed, public feeling may have changed, but principles have not and do not change; and in my judgment there can be no safe basis for judicial decision but in those principles which are immutable.

Gamble, J., 15 Mo. Reports, pp. 589–92.

These utterances, it must be remembered, occurred in the year 1852, when all slavery agitation was supposed to have been forever settled. They show conclusively that the calm was superficial and delusive, and that this deep-reaching contest was still, as before the adjustment of 1850, actually

transforming the various institutions of society. Gradually, and as yet unnoticed by the public, the motives disclosed in these opinions were beginning to control courts of justice, and popular discussion and excitement were not only shaping legislation, but changing the tenor of legal decisions throughout the country.

Not long after the judgment by the Supreme Court of Missouri, Dred Scott and his family were sold to a man named Sandford, who was a citizen of New York. This circumstance afforded a ground for bringing a similar action in a Federal tribunal, and accordingly Dred Scott once more sued for freedom, in the United States Circuit Court at St. Louis.[1] The case was tried in May, 1854, and a decree rendered that they "were negro slaves, the lawful property" of Sandford. As a final effort to obtain justice, they appealed by writ of error to the Supreme Court of the United States, the highest judicial tribunal of the nation.

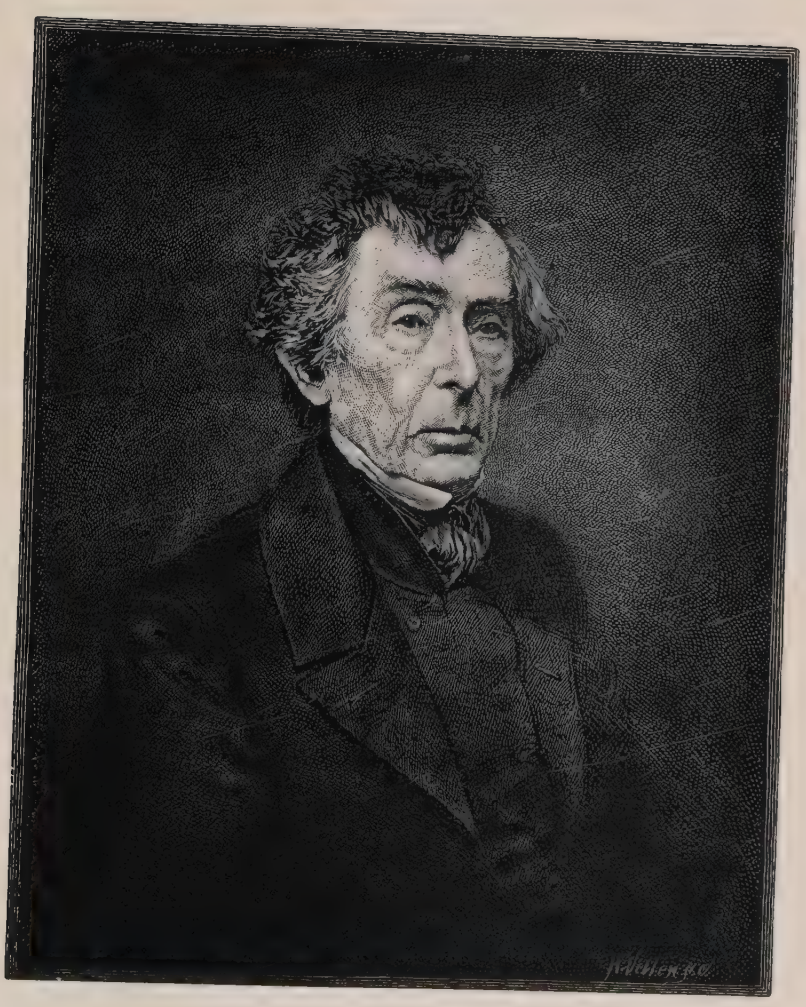
Before this court of last resort the case was argued a first time in the spring of 1856. The country had been for two years in a blaze of political excitement. Civil war was raging in Kansas; Congress was in a turmoil of partisan discussion; a Presidential election was impending, and the whole people were anxiously noting the varying phases of party politics. Few persons knew there was such a thing as the Dred Scott

1 The declaration in the case of Dred Scott vs. John F. A. Sandford was filed in the clerk's office of the Circuit Court of the United States for the district of Missouri on the second day of November, 1853. The trespass complained of is alleged to have occurred on the first day of January, 1853. — Manuscript Records of the Supreme Court of the United States.

CHAP. IV. case on the docket of the Supreme Court; but those few appreciated the importance of the points it involved, and several distinguished lawyers volunteered to take part in the argument.[1] Two questions were presented to the court: First, Is Dred Scott a citizen entitled to sue? Secondly, Did his residence at Rock Island and at Fort Snelling, under the various prohibitions of slavery existing there, work his freedom?

The Supreme Court was composed of nine justices; namely, Chief-Justice Taney and Associate Justices McLean, Wayne, Catron, Daniel, Nelson, Grier, Curtis, and Campbell. There was at once manifested among the judges not only a lively interest in the questions presented, but a wide difference of views as to the manner of treating them. Consultations of the Supreme Court are always shrouded in inviolable secrecy, but the opinions afterwards published indicate that the political aspects of slavery, which were then convulsing the country, from the very first found a certain sympathy and reflection in these grave judicial deliberations. The discussions yet turned upon certain merely technical rules to be applied to the pleadings under review; and ostensibly to give time for further examination, the case was postponed and a re-argument ordered for the next term. It may, however, be suspected that the nearness of the Presidential election had more to

[1] At the first hearing Montgomery Blair argued the case for Dred Scott, and Senator Geyer, of Missouri, and ex-Attorney-General Reverdy Johnson, of Maryland, for the claimant. At the second hearing Mr. Blair and George Ticknor Curtis, of Boston, argued the case on behalf of Dred Scott, and Mr. Geyer and Mr. Johnson again made the argument for the claimant. All of them performed the service without compensation.



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do with this postponement than did the exigencies of the law.[1]

The Presidential election came, and Mr. Buchanan was chosen. Soon after, the court met to begin its long winter term; and about the middle of December, 1856, the Dred Scott case was once more elaborately argued. Again occupying the attention of the court for four successive days, as it had also done in the first hearing, the eminent counsel, after passing lightly over mere technical subtleties, discussed very fully what was acknowledged to be the leading point in the controversy; namely, whether Congress had power under the Constitution to prohibit slavery in the Federal Territories, as it had done by the Missouri Compromise act and various other laws. It was precisely the policy, or impolicy, of this and similar prohibitions which formed the subject of contention in party politics. The question of their constitutional validity was certain to take even a higher rank in public interest.

When after the second argument the judges took up the case in conference for decision, the majority held that the judgment of the Missouri Federal tribunal should simply be affirmed on its merits. In conformity to this view, Justice Nelson was instructed to prepare an opinion to be read as the judgment of the Supreme Court of the United

[1] "The court will not decide the question of the Missouri Compromise line — a majority of the judges being of opinion that it is not necessary to do so. (This is confidential.) The one engrossing subject in both Houses of Congress and with all the members is the Presidency; and upon this everything done and omitted, except the most ordinary necessities of the country, depends."— [Letter of Justice Curtis to Mr. Ticknor, April 8, 1856. G. T. Curtis, "Life of B. R. Curtis," Vol. I., p. 180.]

CHAP. IV. States. Such a paper was thereupon duly written by him, of the following import: It was a question, he thought, whether a temporary residence in a free State or Territory could work the emancipation of a slave. It was the exclusive province of each State, by its Legislature or courts of justice, to determine this question for itself. This determined, the Federal courts were bound to follow the State's decision. The Supreme Court of Missouri had decided Dred Scott to be a slave. In two cases tried since, the same judgment had been given. Though former decisions had been otherwise, this must now be admitted as "the settled law of the State," which, he said, "is conclusive of the case in this court."

This very narrow treatment of the points at issue, having to do with the mere lifeless machinery of the law, was strikingly criticised in the dissenting opinion afterwards read by Justice McLean, a part of which, by way of anticipation, may properly be quoted here. He denied that it was exclusively a Missouri question.

> It involves a right claimed under an act of Congress and the Constitution of Illinois, and which cannot be decided without the consideration and construction of those laws. . . Rights sanctioned for twenty-eight years ought not and cannot be repudiated, with any semblance of justice, by one or two decisions, influenced, as declared, by a determination to counteract the excitement against slavery in the free States. . . Having the same rights of sovereignty as the State of Missouri in adopting a constitution, I can perceive no reason why the institutions of Illinois should not receive the same consideration as those of Missouri. . . The Missouri court disregards the express provisions of an act of Congress and the Constitution of a sovereign State, both of which laws for

twenty-eight years it had not only regarded, but carried into effect. If a State court may do this, on a question involving the liberty of a human being, what protection do the laws afford? CHAP. IV.

19 Howard, pp. 555–64.

Had the majority of the judges carried out their original intention, and announced their decision in the form in which Justice Nelson, under their instruction, wrote it, the case of Dred Scott would, after a passing notice, have gone to a quiet sleep under the dust of the law libraries. A far different fate was in store for it. The nation was then being stirred to its very foundation by the slavery agitation. The party of pro-slavery reaction was for the moment in the ascendant; and as by an irresistible impulse, the Supreme Court of the United States was swept from its hitherto impartial judicial moorings into the dangerous seas of politics.

Campbell to Tyler, Samuel Tyler, "Life of Taney," pp. 383-4.

Before Judge Nelson's opinion was submitted to the judges in conference for final adoption as the judgment of the court a movement seems to have taken place among the members, not only to change the ground of the decision, but also greatly to enlarge the field of inquiry. It is stated by one of the participants in that memorable transaction (Justice Campbell) that this occurred "upon a motion of Mr. Justice Wayne, who stated that the case had created public interest and expectation, that it had been twice argued, and that an impression existed that the questions argued would be considered in the opinion of the court." He further says that "the apprehension had been expressed by others of the court, that the court would not fulfill public expectation or discharge its duties by maintaining silence upon these questions; and

CHAP. IV.

Campbell to Tyler, Tyler, p. 384.

my impression is, that several opinions had already been begun among the members of the court, in which a full discussion of the case was made, before Justice Wayne made this proposal."

The exact time when this movement was begun cannot now be ascertained. The motives which prompted it can be inferred by recalling contemporaneous political events. A great controversy divided public opinion, whether slavery might be extended or should be restricted. The Missouri Compromise had been repealed to make such an extension possible. The terms of that repeal were purposely couched in ambiguous language. Kansas and Nebraska were left "perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States." Whether under the Constitution slavery could be excluded from the Federal Territories was affirmed by Northern and denied by Southern Democrats. Northern and Southern Democrats, acting together in the Cincinnati National Convention, had ingeniously avoided any solution of this difference.

A twofold interpretation had enabled that party to elect Mr. Buchanan, not by its own popular strength, but by the division of its opponents. Notwithstanding its momentary success, unless it could develop new sources of strength the party had only a precarious hold upon power. Its majority in the Senate was waning. In Kansas free-State emigration was outstripping the South in numbers and checkmating her in border strife. According to the existing relative growth in sectional representation and sectional sentiment, the

balance of power was slowly but steadily passing to the North. CHAP. IV.

Out of this doubt and difficulty there was one pathway that seemed easy and certain. All the individual utterances from the Democratic party agreed that the meaning of the words "subject to the Constitution" was a question for the courts. This was the original compact between Northern and Southern Democrats in caucus when Douglas consented to repeal. Douglas, shorn of his prestige by his defeat for the Presidential nomination, must accept conditions from his successful rival. The Dred Scott case afforded the occasion for a decision. Of the nine judges on the Supreme Bench seven were Democrats, and of these five were appointed from slave States. A better opportunity for the South to obtain a favorable dictum could never be expected to arise. A declaration by the Supreme Court of the United States that under the Constitution Congress possessed no power to prohibit slavery in the Federal Territories would by a single breath end the old and begin a new political era. Congress was in session and the political leaders were assembled at Washington. Political topics excluded all other conversation or thought. Politics reddened the plains of Kansas; politics had recently desecrated the Senate chamber with a murderous personal assault; politics contended greedily for the spoils of a new administration; politics nursed a tacit conspiracy to nationalize slavery. The slavery sentiment ruled society, ruled the Senate, ruled the Executive Mansion. It is not surprising that this universal influence flowed in at the open door of the national hall of

CHAP. IV. justice — that it filtered through the very walls which surrounded the consulting-room of the Supreme Court.

The judges were, after all, but men. They dined, they talked, they exchanged daily personal and social courtesies with the political world. Curiosity, friendship, patriotism, led them to the floors of Congress to listen to the great debates. Official ceremony called them into the presence of the President, of legislators, of diplomats. They were feasted, flattered, questioned, reminded of their great opportunity, tempted with the suggestion of their supreme authority.[1] They could render their names illustrious. They could honor their States. They could do justice to the South. They could perpetuate their party. They could settle the slavery question. They could end sectional hatred, extinguish civil war, preserve the Union, save their country. Advanced age, physical feebleness, party bias, the political ardor of the youngest and the satiety of the eldest, all conspired to draw them under the insidious influence of such considerations. One of the judges in official language

[1] A striking example may be found in the utterance of Attorney-General Caleb Cushing, of the retiring Pierce Administration, in a little parting address to the Supreme Court, March 4, 1857:

"Yours is not the gauntleted hand of the soldier, nor yours the voice which commands armies, rules cabinets, or leads senates; but though you are none of these, yet you are backed by all of them. Theirs is the external power which sustains your moral authority; you are the incarnate mind of the political body of the nation. In the complex institutions of our country you are the pivot point upon which the rights and liberties of all, government and people alike, turn; or, rather, you are the central light of constitutional wisdom around which they perpetually revolve. Long may this court retain the confidence of our country as the great conservators, not of the private peace only, but of the sanctity and integrity of the Constitution."— "National Intelligencer," March 5, 1857.

frankly avowed the motive and object of the majority of the court. "The case," he wrote, "involves private rights of value, and constitutional principles of the highest importance, about which there had become such a difference of opinion that the peace and harmony of the country required the settlement of them by judicial decision." This language betrays the confusion of ideas and misconception of authority which tempted the judges beyond their proper duty. Required only to decide a question of private rights, they thrust themselves forward to sit as umpires in a quarrel of parties and factions.

Wayne, J., Opinion in the Dred Scott case, 19 Howard, pp. 454–5.

In an evil hour they yielded to the demands of "public interest," and resolved to "fulfill public expectation." Justice Wayne "proposed that the Chief-Justice should write an opinion on all of the questions as the opinion of the court. This was assented to, some reserving to themselves to qualify their assent as the opinion might require. Others of the court proposed to have no question, save one, discussed." The extraordinary proceeding was calculated to touch the pride of Justice Nelson. He appears to have given it a kind of sullen acquiescence. "I was not present," he wrote, "when the majority decided to change the ground of the decision, and assigned the preparation of the opinion to the Chief-Justice; and when advised of the change I simply gave notice that I should read the opinion I had prepared as my own, and which is the one on file." From this time the pens of other judges were busy, and in the inner political circles of Washington the case of Dred Scott gradually became a shadowy and portentous *cause célèbre*.

Campbell to Tyler, Tyler, p. 384.

Nelson to Tyler, Tyler, p. 385.

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The first intimation which the public at large had of the coming new dictum was given in Mr. Buchanan's inaugural. The fact that he did not contemplate such an announcement until after his arrival in Washington[1] leads to the inference that it was prompted from high quarters. In Congressional and popular discussions the question of the moment was at what period in the growth of a Territory its voters might exclude or establish slavery. Referring to this Mr. Buchanan said: "It is a judicial question, which legitimately belongs to the Supreme Court of the United States, before whom it is now pending, and will, it is understood, be speedily and finally settled. To their decision, in common with all good citizens, I shall cheerfully submit, whatever this may be."

The popular acquiescence being thus invoked by the Presidential voice and example, the court announced its decision two days afterwards—March 6, 1857. The essential character of the transaction impressed itself upon the very form of the judgment, if indeed it may be called at all by that name. Chief-Justice Taney read the opinion of the court. Justices Nelson, Wayne, Daniel, Grier, Catron, and Campbell each read a separate and individual opinion, agreeing with the Chief-Justice on some points, and omitting or disagreeing on others, or arriving

[1] "Mr. Buchanan was also preparing his inaugural address with his usual care and painstaking, and I copied his drafts and recopied them until he had prepared it to his satisfaction. It underwent no alteration after he went to the National Hotel in Washington, except that he there inserted a clause in regard to the question then pending in the Supreme Court, as one that would dispose of a vexed and dangerous topic by the highest judicial authority of the land."—Statement of James Buchanan Henry (President Buchanan's private secretary) in the "Life of James Buchanan," by George Ticknor Curtis, Vol. II., p. 187.

at the same result by different reasoning, and in the same manner differing one from another. The two remaining associate justices, McLean and Curtis, read emphatic dissenting opinions. Thus the collective utterance of the bench resembled the speeches of a town meeting rather than the decision of a court, and employed 240 printed pages of learned legal disquisition to order the simple dismissal of a suit. The opinion read by Chief-Justice Taney was long and elaborate, and the following were among its leading conclusions:

That the Declaration of Independence and the Constitution of the United States do not include nor refer to negroes otherwise than as property; that they cannot become citizens of the United States nor sue in the Federal courts. That Dred Scott's claim to freedom by reason of his residence in Illinois was a Missouri question, which Missouri law had decided against him. That the Constitution of the United States recognizes slaves as property, and pledges the Federal Government to protect it; and that the Missouri Compromise act and like prohibitory laws are unconstitutional. That the Circuit Court of the United States had no jurisdiction in the case and could give no judgment in it, and must be directed to dismiss the suit.

This remarkable decision challenged the attention of the whole people to a degree never before excited by any act of their courts of law. Multiplied editions were at once printed,[1] scattered

[1] "It may not be improper for me here to add that so great an interest did I take in that decision, and in its principles being sustained and understood in the Commonwealth of Kentucky, that I took the trouble at my own cost to print or have printed a large

CHAP. IV. broadcast over the land, read with the greatest avidity, and earnestly criticised.

The public sentiment regarding it immediately divided, generally on existing party lines — the South and the Democrats accepting and commending, the North and the Republicans spurning and condemning it. The great antislavery public was not slow in making a practical application of its dogmas: that a sweeping and revolutionary exposition of the Constitution had been attempted when confessedly the case and question had no right to be in court; that an evident partisan dictum of national judges had been built on an avowed partisan decision of State judges; that both the legislative and judicial authority of the nation had been trifled with; that the settler's "sovereignty" in Kansas consisted only of a Southern planter's right to bring his slaves there; and that if under the "property" theory the Constitution carries slavery to the Territories, it would by the same inevitable logic carry it into free States.

But much more offensive to the Northern mind than his conclusions of law were the language and historical assertions by which Chief-Justice Taney strove to justify them.

> In the opinion of the court [said he] the legislation and histories of the times, and the language used in the Declaration of Independence, show, that neither the class of persons who had been imported as slaves, nor their descendants, whether they had become free or not, were

edition of that decision to scatter it over the State; and unless the mails have miscarried, there is scarcely a member elected to the Legislature who has not received a copy with my frank."— Vice-President Breckinridge, Frankfort Speech, December, 1859.

then acknowledged as a part of the people, nor intended to be included in the general words used in that memorable instrument. It is difficult at this day to realize the state of public opinion in relation to that unfortunate race which prevailed in the civilized and enlightened portions of the world at the time of the Declaration of Independence and when the Constitution of the United States was framed and adopted. But the public history of every European nation displays it in a manner too plain to be mistaken. They had for more than a century before been regarded as beings of an inferior order, and altogether unfit to associate with the white race, either in social or political relations; and so far inferior, that they had no rights which the white man was bound to respect; and that the negro might justly and lawfully be reduced to slavery for his benefit. He was bought and sold, and treated as an ordinary article of merchandise and traffic, whenever a profit could be made by it.

19 Howard, p. 407.

Quoting the provisions of several early slave codes, he continued:

They show that a perpetual and impassable barrier was intended to be erected between the white race and the one which they had reduced to slavery and governed as subjects with absolute and despotic power, and which they then looked upon as so far below them in the scale of created beings that intermarriages between white persons and negroes or mulattoes were regarded as unnatural and immoral, and punished as crimes, not only in the parties, but in the person who joined them in marriage. And no distinction in this respect was made between the free negro or mulatto and the slave, but this stigma, of the deepest degradation, was fixed upon the whole race.

Ibid., p. 409.

Referring to the phrase in the Declaration of Independence, which asserts that all men are created equal, he remarked:

The general words above quoted would seem to embrace the whole human family, and if they were used in a similar instrument at this day would be so understood.

CHAP. IV. But it is too clear for dispute, that the enslaved African race were not intended to be included, and formed no part of the people who framed and adopted this declaration; for if the language, as understood in that day, would embrace them, the conduct of the distinguished men who framed the Declaration of Independence would have been utterly and flagrantly inconsistent with the principles they asserted, and instead of the sympathy of mankind, to which they so confidently appealed, they would have deserved and received universal rebuke and reprobation.

19 Howard, p. 410.

He then applied the facts thus assumed as follows:

The only two provisions which point to them and include them treat them as property, and make it the duty of the Government to protect it; no other power in relation to this race is to be found in the Constitution. . . . No one, we presume, supposes that any change in public opinion or feeling in relation to this unfortunate race, in the civilized nations of Europe or in this country, should induce the court to give to the words of the Constitution a more liberal construction in their favor than they were intended to bear when the instrument was framed and adopted. . . It is not only the same in words, but the same in meaning, and delegates the same powers to the Government, and reserves and secures the same rights and privileges to the citizen; and as long as it continues to exist in its present form, it speaks not only in the same words but with the same meaning and intent with which it spoke when it came from the hands of its framers and was voted on and adopted by the people of the United States.

Ibid., pp. 425–6.

This cold and pitiless historical delineation of the bondage, ignorance, and degradation of the unfortunate kidnaped Africans and their descendants in a by-gone century, as an immutable basis of constitutional interpretation, was met by loud and indignant protest from the North. The people and press of that section seized upon the salient

phrase of the statement, and applying it in the present tense, accused the Chief-Justice with saying that "a negro has no rights which a white man is bound to respect." This was certainly a distortion of his exact words and meaning; yet the exaggeration was more than half excusable, in view of the literal and unbending rigor with which he proclaimed the constitutional disability of the entire African race in the United States, and denied their birthright in the Declaration of Independence. His unmerciful logic made the black before the law less than a slave; it reduced him to the status of a horse or dog, a bale of dry-goods or a block of stone. Against such a debasement of any living image of the Divine Maker the resentment of the public conscience of the North was quick and unsparing.

Had Chief-Justice Taney's delineation been historically correct, it would have been nevertheless unwise and unchristian to embody it in the form of a disqualifying legal sentence and an indelible political brand. But its manifest untruth was clearly shown by Justice Curtis in his dissenting opinion. He reminded the Chief-Justice that at the adoption of the Constitution:

> In five of the thirteen original States colored persons then possessed the elective franchise, and were among those by whom the Constitution was ordained and established. If so, it is not true in point of fact that the Constitution was made exclusively by the white race, and that it was made exclusively for the white race is in my opinion not only an assumption not warranted by anything in the Constitution, but contradicted by its opening declaration that it was ordained and established by the people of the United States for themselves and their

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posterity; and as free colored persons were then citizens of at least five States, and so in every sense part of the people of the United States, they were among those for whom and whose posterity the Constitution was ordained and established.

19 Howard, p. 582.

Elsewhere in the same opinion he said:

I shall not enter into an examination of the existing opinions of that period respecting the African race, nor into any discussion concerning the meaning of those who asserted in the Declaration of Independence that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness. My own opinion is, that a calm comparison of these assertions of universal abstract truths, and of their own individual opinions and acts, would not leave these men under any reproach of inconsistency; that the great truths they asserted on that solemn occasion they were ready and anxious to make effectual, wherever a necessary regard to circumstances, which no statesman can disregard without producing more evil than good, would allow; and that it would not be just to them, nor true in itself, to allege that they intended to say that the Creator of all men had endowed the white race exclusively with the great natural rights which the Declaration of Independence asserts.

Ibid., pp. 574–5.

Justice McLean, in his dissenting opinion, completed the outline of the true historical picture in accurate language:

I prefer the lights of Madison, Hamilton, and Jay, as a means of construing the Constitution in all its bearings, rather than to look behind that period into a traffic which is now declared to be piracy, and punished with death by Christian nations. I do not like to draw the sources of our domestic relations from so dark a ground. Our independence was a great epoch in the history of freedom; and while I admit the Government was not made especially for the colored race, yet many of them were citizens of the New England States, and exercised the rights

of suffrage when the Constitution was adopted, and it was not doubted by any intelligent person that its tendencies would greatly ameliorate their condition.

Many of the States on the adoption of the Constitution, or shortly afterwards, took measures to abolish slavery within their respective jurisdictions; and it is a well-known fact that a belief was cherished by the leading men, South as well as North, that the institution of slavery would gradually decline until it would become extinct. The increased value of slave labor, in the culture of cotton and sugar, prevented the realization of this expectation. Like all other communities and States, the South were influenced by what they considered to be their own interests. But if we are to turn our attention to the dark ages of the world, why confine our view to colored slavery? On the same principles white men were made slaves. All slavery has its origin in power and is against right.

19 Howard, pp. 537–8.

To the constitutional theory advanced by the Chief-Justice, that Congress cannot exercise sovereign powers over Federal Territories, and hence cannot exclude slave property from them, Justices McLean and Curtis also opposed a vigorous and exhaustive argument, which the most eminent lawyers and statesmen of that day deemed conclusive. The historical precedents alone ought to have determined the issue. "The judicial mind of this country, State and Federal," said McLean, "has agreed on no subject within its legitimate action with equal unanimity as on the power of Congress to establish Territorial governments. No court, State or Federal, no judge or statesman, is known to have had any doubts on this question for nearly sixty years after the power was exercised."

And Curtis added: "Here are eight distinct instances, beginning with the first Congress, and coming down to the year 1848, in which Congress

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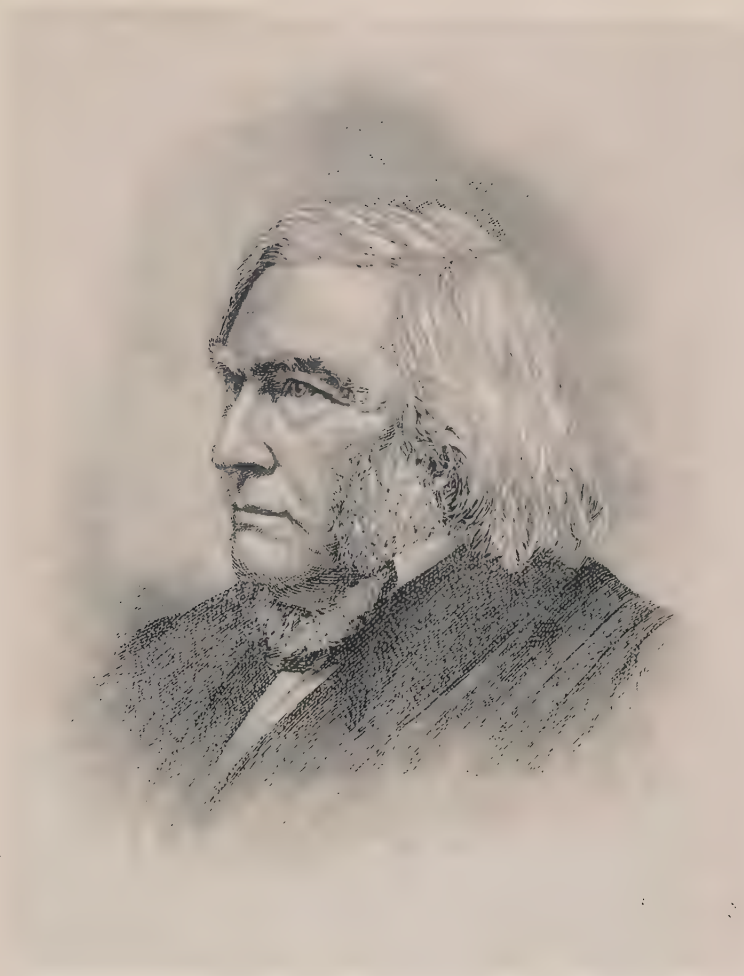
has excluded slavery from the territory of the United States; and six distinct instances in which Congress organized governments of Territories by which slavery was recognized and continued, beginning also with the first Congress, and coming down to the year 1822. These acts were severally signed by seven Presidents of the United States, beginning with General Washington, and coming regularly down as far as Mr. John Quincy Adams, thus including all who were in public life when the Constitution was adopted. If the practical construction of the Constitution, contemporaneously with its going into effect, by men intimately acquainted with its history from their personal participation in framing and adopting it, and continued by them through a long series of acts of the gravest importance, be entitled to weight in the judicial mind on a question of construction, it would seem to be difficult to resist the force of the acts above adverted to."

19 Howard, p. 619.



SAMUEL NELSON.

CHAPTER V

DOUGLAS AND LINCOLN ON DRED SCOTT

MANIFESTLY, when the educated intellects of the learned judges differed so radically concerning the principles of law and the facts of history applicable to the Dred Scott question, the public at large could hardly be expected to receive the new dogmas without similar divergence of opinion. So far from exercising a healing influence, the decision widened immensely the already serious breach between the North and the South. The persons immediately involved in the litigation were quickly lost sight of;[1] but the constitutional principle affirmed by the court was defended by the South and denounced by the North with zeal and acrimony. The Republican party did not further question or propose to disturb the final judgment in the case; but it declared that the Dred Scott doctrines of the Supreme Court should not be made a rule of political action, and precisely

[1] The ownership of Dred Scott and his family passed by inheritance to the family of a Massachusetts Republican member of Congress. The following telegram, copied from the "Providence Post" into the "Washington Union," shows the action of the new owner: "ST. LOUIS, May 26 [1857]. Dred Scott with his wife and two daughters were emancipated to-day by Taylor Blow, Esq. They had been conveyed to him by Mr. Chaffee for that purpose."

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this the South, together with the bulk of the Northern Democrats, insisted should be done.

A single phase of the controversy will serve to illustrate the general drift of the discussion throughout the Union. Some three months after the delivery of the opinion of the court, Senator Douglas found himself again among his constituents in Illinois, and although there was no political campaign in progress, current events and the roused state of public feeling seemed to require that he should define his views in a public speech. It marks his acuteness as a politician that he already realized what a fatal stab the Dred Scott decision had given his vaunted principle of "Popular Sovereignty," with which he justified his famous repeal of the Missouri Compromise. He had ever since argued that Congressional prohibition of slavery was obsolete and useless, and that the choice of slavery or freedom ought to be confided to the local Territorial laws, just as it was confided to local State constitutions. But the Dred Scott decision announced that slaves were property which Congress could not exclude from the Territories, adding also the inevitable conclusion that what Congress could not do a Territorial Legislature could not.

19 Howard, pp. 450–1.

Difficult as this made his task of reconciling his favorite theory with the Dred Scott decision, such was his political boldness, and such had been his skill and success in sophistry, that he undertook even this hopeless effort. Douglas, therefore, made a speech at Springfield, Illinois, on the 12th of June, 1857, in which he broadly and fully indorsed and commended the opinion of Chief-Justice Taney

and his concurring associates, declaring that "Their judicial decisions will stand in all future time, a proud monument to their greatness, the admiration of the good and wise, and a rebuke to the partisans of faction and lawless violence. If unfortunately any considerable portion of the people of the United States shall so far forget their obligations to society as to allow the partisan leaders to array them in violent resistance to the final decision of the highest judicial tribunal on earth, it will become the duty of all the friends of order and constitutional government, without reference to past political differences, to organize themselves and marshal their forces under the glorious banner of the Union, in vindication of the Constitution and supremacy of the laws over the advocates of faction and the champions of violence."

Proceeding then with a statement of the case, he continued: "The material and controlling points in the case, those which have been made the subject of unmeasured abuse and denunciation, may be thus stated: 1st. The court decided that under the Constitution of the United States, a negro descended from slave parents is not and cannot be a citizen of the United States. 2d. That the act of March 6, 1820, commonly called the Missouri Compromise act, was unconstitutional and void before it was repealed by the Nebraska act, and consequently did not and could not have the legal effect of extinguishing a master's right to his slave in that Territory. While the right continues in full force under the guarantees of the Constitution, and cannot be divested or alienated by an act of Congress, it necessarily remains a barren and a worthless

CHAP. V. right, unless sustained, protected, and enforced by appropriate police regulations and local legislation, prescribing adequate remedies for its violation. These regulations and remedies must necessarily depend entirely upon the will and wishes of the people of the Territory, as they can only be prescribed by the local legislatures. Hence the great principle of popular sovereignty and self-government is sustained and firmly established by the authority of this decision."

It is scarcely possible that Douglas convinced himself by such a glaring *non sequitur;* but he had no other alternative. It was a desperate expedient to shield himself as well as he might from the damaging recoil of his own temporizing statesmanship. The declaration made thus early is worthy of historical notice as being the substance and groundwork of the speaker's famous "Freeport doctrine," or theory of "unfriendly legislation," to which Lincoln's searching interrogatories drove him in the great Lincoln-Douglas debates of the following year. Repeated and amplified at that time, it became in the eyes of the South the unpardonable political heresy which lost him the Presidential nomination and caused the rupture of the Democratic National Convention at Charleston in the summer of 1860. For the moment, however, the sophism doubtless satisfied his many warm partisans. He did not dwell on the dangerous point, but trusted for oratorical effect rather to his renewed appeals to the popular prejudice against the blacks, so strong in central Illinois, indorsing and emphasizing Chief-Justice Taney's assertion that negroes were not included

in the words of the Declaration of Independence, and arguing that if the principle of equality were admitted and carried out to its logical results, it would necessarily lead not only to the abolition of slavery in the slave States, but to the general amalgamation of the two races.

The Republican party of Illinois had been greatly encouraged and strengthened by its success in electing the State officers in the previous autumn; and as their recognized leader and champion, Lincoln made a reply to this speech some two weeks later, June 26, 1857, also at Springfield. Though embracing other topics, the question of the hour, the Dred Scott decision, was nevertheless its chief subject. The extracts here presented from it will give the reader some idea of its power of statement and eloquence:

And now [said Mr. Lincoln] as to the Dred Scott decision. That decision declares two propositions — first, that a negro cannot sue in the United States courts; and secondly, that Congress cannot prohibit slavery in the Territories. It was made by a divided court — dividing differently on the different points. Judge Douglas does not discuss the merits of the decision, and in that respect I shall follow his example, believing I could no more improve on McLean and Curtis, than he could on Taney. He denounces all who question the correctness of that decision, as offering violent resistance to it. But who resists it? Who has, in spite of the decision, declared Dred Scott free, and resisted the authority of his master over him? Judicial decisions have two uses — first, to absolutely determine the case decided, and, secondly, to indicate to the public how other similar cases will be decided when they arise. For the latter use they are called "precedents" and "authorities." We believe as much as Judge Douglas (perhaps more) in obedience to and respect for the judicial department of government.

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We think its decisions on constitutional questions, when fully settled, should control, not only the particular cases decided, but the general policy of the country, subject to be disturbed only by amendments of the Constitution as provided in that instrument itself. More than this would be revolution. But we think the Dred Scott decision is erroneous. We know the court that made it has often overruled its own decisions, and we shall do what we can to have it overrule this. We offer no resistance to it. Judicial decisions are of greater or less authority as precedents according to circumstances. That this should be so, accords both with common sense and the customary understanding of the legal profession. If this important decision had been made by the unanimous concurrence of the judges, and without any apparent partisan bias, and in accordance with legal public expectation, and with the steady practice of the departments throughout our history, and had been in no part based on assumed historical facts which are not really true; or, if wanting in some of these, it had been before the court more than once, and had there been affirmed and reaffirmed through a course of years, it then might be, perhaps would be, factious, nay, even revolutionary, not to acquiesce in it as a precedent. But when, as is true, we find it wanting in all these claims to the public confidence, it is not resistance, it is not factious, it is not even disrespectful, to treat it as not having yet quite established a settled doctrine for the country.

Rising above all questions of technical construction to the broad and universal aspects of the issue, Mr. Lincoln continued:

The Chief-Justice does not directly assert, but plainly assumes as a fact, that the public estimate of the black man is more favorable now than it was in the days of the Revolution. This assumption is a mistake. In some trifling particulars the condition of that race has been ameliorated; but as a whole, in this country, the change between then and now is decidedly the other way; and their ultimate destiny has never appeared so hopeless as in the last three or four years. In two of the five States

—New Jersey and North Carolina—that then gave the free negro the right of voting, the right has since been taken away; and in a third—New York—it has been greatly abridged; while it has not been extended, so far as I know, to a single additional State, though the number of the States has more than doubled. In those days, as I understand, masters could, at their own pleasure, emancipate their slaves; but since then such legal restraints have been made upon emancipation as to amount almost to prohibition. In those days, legislatures held the unquestioned power to abolish slavery in their respective States; but now it is becoming quite fashionable for State constitutions to withhold that power from the legislatures. In those days, by common consent, the spread of the black man's bondage to the new countries was prohibited; but now Congress decides that it will not continue the prohibition, and the Supreme Court decides that it could not if it would. In those days, our Declaration of Independence was held sacred by all, and thought to include all; but now, to aid in making the bondage of the negro universal and eternal, it is assailed, and sneered at, and construed and hawked at, and torn, till if its framers could rise from their graves they could not at all recognize it. All the powers of earth seem rapidly combining against him. Mammon is after him, ambition follows, philosophy follows, and the theology of the day is fast joining the cry. They have him in his prison house, they have searched his person and left no prying instrument with him. One after another they have closed the heavy iron doors upon him; and now they have him, as it were, bolted in with a lock of a hundred keys, which can never be unlocked without the concurrence of every key; the keys in the hands of a hundred different men, and they scattered to a hundred different and distant places; and they stand musing as to what invention, in all the dominions of mind and matter, can be produced to make the impossibility of his escape more complete than it is. . .

There is a natural disgust in the minds of nearly all white people at the idea of an indiscriminate amalgamation of the white and black races; and Judge Douglas evidently is basing his chief hope upon the chances of

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his being able to appropriate the benefit of this disgust to himself. If he can by much drumming and repeating fasten the odium of that idea upon his adversaries, he thinks he can struggle through the storm. He therefore clings to this hope as a drowning man to the last plank. He makes an occasion for lugging it in, from the opposition to the Dred Scott decision. He finds the Republicans insisting that the Declaration of Independence includes *all* men, black as well as white, and forthwith he boldly denies that it includes negroes at all, and proceeds to argue gravely that all who contend it does, do so only because they want to vote, and eat, and sleep, and marry with negroes. He will have it that they cannot be consistent else. Now I protest against the counterfeit logic which concludes that because I do not want a black woman for a slave I must necessarily want her for a wife. I need not have her for either. I can just leave her alone. In some respects she certainly is not my equal; but in her natural right to eat the bread she earns with her own hands, without asking leave of any one else, she is my equal and the equal of all others.

Chief-Justice Taney, in his opinion in the Dred Scott case, admits that the language of the Declaration is broad enough to include the whole human family; but he and Judge Douglas argue that the authors of that instrument did not intend to include negroes, by the fact that they did not at once actually place them on an equality with the whites. Now this grave argument comes to just nothing at all by the other fact that they did not at once or ever afterwards actually place all white people on an equality with one another. And this is the staple argument of both the Chief-Justice and the Senator, for doing this obvious violence to the plain, unmistakable language of the Declaration.

I think the authors of that notable instrument intended to include all men; but they did not intend to declare all men equal in all respects. They did not mean to say all were equal in color, size, intellect, moral development, or social capacity. They defined with tolerable distinctness in what respects they did consider all men created equal — equal with "certain inalienable rights, among which are life, liberty, and the pursuit of happiness." This they

said, and this they meant. They did not mean to assert the obvious untruth that all were then actually enjoying that equality, nor yet that they were about to confer it immediately upon them. In fact they had no power to confer such a boon. They meant simply to declare the right, so that the enforcement of it might follow as fast as circumstances should permit. They meant to set up a standard maxim for free society, which should be familiar to all, and revered by all; constantly looked to, constantly labored for, and even though never perfectly attained, constantly approximated, and thereby constantly spreading and deepening its influence and augmenting the happiness and value of life to all people of all colors everywhere. The assertion that "all men are created equal" was of no practical use in effecting our separation from Great Britain; and it was placed in the Declaration, not for that but for future use. Its authors meant it to be, as, thank God, it is now proving itself, a stumbling-block to all those who in after times might seek to turn a free people back into the hateful paths of despotism. They knew the proneness of prosperity to breed tyrants, and they meant when such should reappear in this fair land and commence their vocation, they should find left for them at least one hard nut to crack.

CHAPTER VI

THE LECOMPTON CONSTITUTION

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THE year 1857 brings us to a decided change in the affairs of Kansas, but with occurrences no less remarkable. Active civil war gradually ceased in the preceding autumn — a result due to the vigorous and impartial administration of Governor Geary and the arrival of the inclement winter weather.

On the evening of the day the Legislature met (January 12, 1857), the pro-slavery party held a large political convention, in which it was confessed that they were in a hopeless minority in the Territory, and the general conclusion was reached that it was no longer worth while to attempt to form a slave State in Kansas.[1] Many of its hitherto active leaders immediately and definitely abandoned the struggle. But the Missouri cabal, intrenched in the various territorial and county offices, held to their design, though their labors now assumed a somewhat different character. They denounced Governor Geary in their resolutions, and devised legislation to further their intrigues. By the middle of February, under

Geary to Marcy, Jan. 19, 1857. Senate Ex. Doc. No. 17, 1st Sess. 35th Cong. Vol. VI., p. 131.

[1] January 12, 1857, Wilder, p. 113. Bell, Speech in Senate, March 18, 1858. Appendix "Globe," p. 137.

their inspiration, a bill providing for a convention to frame a State constitution was perfected and enacted. The Governor immediately sent the Legislature his message, reminding them that the leading idea of the organic act was to leave the actual *bonâ fide* inhabitants of the Territory "perfectly free to form and regulate their domestic institutions in their own way," and vetoing the bill because "the Legislature has failed to make any provision to submit the constitution when framed to the consideration of the people for their ratification or rejection." The Governor's argument was wasted on the predetermined legislators. They promptly passed the act over his veto.

Geary, Veto Message, Feb. 18, 1857. Senate Ex. Doc. No. 17, 1st Sess. 35th Cong. Vol. VI., p. 167.

The cabal was in no mood to be thwarted, and under a show of outward toleration, if not respect, their deep hostility found such means of making itself felt that the Governor began to receive insult from street ruffians, and to become apprehensive for his personal safety. In such a contest he was single-handed against the whole pro-slavery town of Lecompton. The foundation of his authority was gradually sapped; and finding himself no longer sustained at Washington, where the private appeals and denunciations of the cabal were more influential than his official reports, he wrote his resignation on the day of Buchanan's inauguration, and a week later left the Territory in secrecy as a fugitive. Thus, in less than three years, three successive Democratic executives had been resisted, disgraced, and overthrown by the political conspiracy which ruled the Territory; and Kansas had indeed become, in the phraseology of the day, "the graveyard of governors."

CHAP. VI. The Kansas imbroglio was a political scandal of such large proportions, and so clearly threatened a dangerous schism in the Democratic party, that the new President, Buchanan, and his new Cabinet, proceeded to its treatment with the utmost caution. The subject was fraught with difficulties not of easy solution. The South, to retain her political supremacy, or even her equality, needed more slave States to furnish additional votes in the United States Senate. To make a slave State of Kansas, the Missouri Compromise had been repealed, and a bogus legislature elected and supported by the successive Missouri invasions and the guerrilla war of 1856. All these devices had, however, confessedly failed of their object. Northern emigration and antislavery sentiment were clearly in possession of Kansas, and a majority of voters stood ready upon fair occasion to place her in the column of free States. It had become a game on the chess-board of national politics. The moving pieces stood in Missouri and Kansas, but the players sat in Washington. In reality it was a double game. There was plot and under-plot. Beneath the struggle between the free States and the slave States were the intrigue and deception carried on between Northern Democrats and Southern Democrats. The Kansas-Nebraska act was a double-tongued statute, and the Cincinnati platform a Janus-faced banner. Momentary victory was with the Southern Democrats, for they had secured the nomination and election of President Buchanan — "a Northern man with Southern principles."

Determined to secure whatever prestige could

be derived from high qualification and party influence, Buchanan tendered the vacant governorship of Kansas to his intimate personal and political friend, Robert J. Walker, of Mississippi, a man of great ability and national fame, who had been Senator and Secretary of the Treasury. Walker, realizing fully the responsibility and danger of the trust, after repeated refusals finally accepted upon two distinct conditions: first, that General Harney should be "put in special command in Kansas with a large body of troops, and especially of dragoons and a battery," and retained there subject to his military directions until the danger was over; and second, that he "should advocate the submission of the constitution to the vote of the people for ratification or rejection."

Walker to Cass, July 15, 1857. Senate Ex. Doc. No. 8, 1st Sess. 35th Cong. Vol. I., p. 32.

Walker to Cass, Dec. 15, 1857. Ibid., p. 122.

This latter had now become a vital point in the political game. The recent action of the Territorial Legislature and Geary's already mentioned veto message were before the President and his Cabinet.[1] But much more important than these moves in Kansas was the prior determination of prominent Washington players. During the Kansas civil war and the Presidential campaign of the previous year, by way of offset to the Topeka Constitution, both Senator Douglas and Senator Toombs wrote and introduced in the Senate bills to enable Kansas to form a State constitution. The first by design, and the second by accident, contained a clause to submit such constitution, when formed, to a vote of the people. Both these bills were considered not only by the Senate Committee on Terri-

March 7, 1856. June 25, 1856.

1 Geary to Marcy, Feb. 21, 1857, Senate Ex. Doc. No. 17, 1st Sess. 35th Cong. Vol. VI., p. 178.

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tories, of which Douglas was chairman, but also by a caucus of Democratic Senators. Said Senator Bigler: "It was held, by those most intelligent on the subject, that in view of all the difficulties surrounding that Territory, [and] the danger of any experiment at that time of a popular vote, it would be better that there should be no such provision in the Toombs bill; and it was my understanding, in all the intercourse I had, that that convention would make a constitution and send it here without submitting it to the popular vote."[1]

This Toombs bill was, after modification in other respects, adopted by Douglas, and duly passed by the Senate; but the House with an opposition majority refused its assent. All these preliminaries were well known to the Buchanan Cabinet, and of course also to Douglas. It is fair to assume that under such circumstances Walker's emphatic stipulation was deliberately and thoroughly discussed. Indeed, extraordinary urging had been necessary to induce him to reconsider his early refusals. Douglas personally joined in the solicitation. Because of the determined opposition of his own family, Walker had promised his wife that he would not go to Kansas without her consent; and President Buchanan was so anxious on the point that he personally called on Mrs. Walker and persuaded her to waive her objections.[2] Under influences like these Walker finally accepted the appointment, and the President and Cabinet acquiesced in his conditions without reserve. He

Douglas, Milwaukee Speech, October 13, 1860.

[1] Bigler, Senate Speech, Dec. 9, 1857. "Globe," p. 21. See also Bigler, Dec. 21, 1857. "Globe," p. 113.

[2] Walker, Testimony before the Covode Committee. Reports of Committees H. R. 1st Sess. 36th Cong. Vol. V., pp. 105–6.

wrote his inaugural address in Washington, using the following language: "I repeat then as my clear conviction that unless the convention submit the constitution to the vote of the actual resident settlers, and the election be fairly and justly conducted, the constitution will be and ought to be rejected by Congress." CHAP. VI.

He submitted this draft of his inaugural to President Buchanan, who read and approved the document and the promise. Secretary Cass wrote his official instructions in accordance with it. On Walker's journey West he stopped at Chicago and submitted his inaugural to Douglas, who also indorsed his policy. The new Governor fondly believed he had removed every obstacle to success, and every possibility of misunderstanding or disapproval by the Administration, such as had befallen his predecessors. But President Buchanan either deceived him at the beginning, or betrayed him in the end.

Douglas, Milwaukee Speech, October 13, 1860.

With Governor Walker there was sent a new Territorial secretary. Woodson, who had so often abused his powers during his repeated service as acting Governor, was promoted to a more lucrative post to create the vacancy. Frederick P. Stanton, of Tennessee, formerly a representative in Congress, a man of talent and, as the event proved, also a man of courage, was made secretary. Both Walker and Stanton being from slave States, it may be presumed that the slavery question was considered safe in their hands. Walker, indeed, entertained sentiments more valuable to the South in this conjuncture. He believed in the balance of power; he preferred that the people of Kansas

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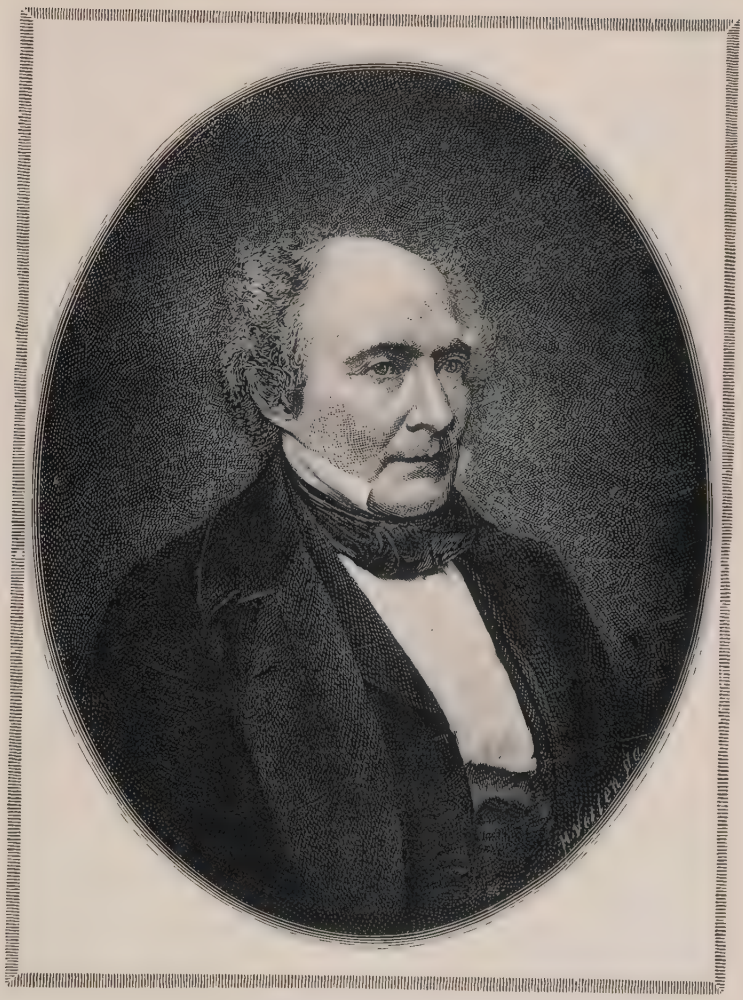
should make it a slave State; he was "in favor of maintaining the equilibrium of the Government by giving the South a majority in the Senate, while the North would always necessarily have a majority in the House of Representatives." Both also entered on their mission with the feelings entertained by the President and Democratic party; namely, that the free-State men were a mischievous insurrectionary faction, willfully disturbing the peace and defying the laws. Gradually, however, their personal observation convinced them that this view was a profound error.

Walker, Testimony, Covode Committee Report, p. 109.

Governor Walker arrived in the Territory late in May, and it required but short investigation to satisfy him that any idea of making Kansas a slave State was utterly preposterous. Had everything else been propitious, climate alone seemed to render it impossible. But popular sentiment was also overwhelmingly against it; he estimated that the voters were for a free State more than two to one. All the efforts of the pro-slavery party to form a slave State seemed to be finally abandoned. If he could not make Kansas a slave State, his next desire was to make her a Democratic State. "And the only plan to accomplish this was to unite the free-State Democrats with the pro-slavery party, and all those whom I regarded as conservative men, against the more violent portion of the Republicans." He, therefore, sought by fair words to induce the free-State men to take part in the election of delegates to the constitutional convention. His inaugural address, quoting the President's instructions, promised that such election should be free from fraud and violence; that the

Walker to Buchanan, June 28, 1857. Ibid., p. 115.

Walker, Testimony. Ibid., p. 107.



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delegates should be protected in their deliberations; and that if unsatisfactory, "you may by a subsequent vote defeat the ratification of the constitution." CHAP. VI. Walker, Inaugural, May 27, 1857. Senate Ex. Doc. No. 8, 1st Sess. 35th Cong. Vol. I., p. 11.

This same policy was a few weeks later urged at Topeka, where a mass meeting of the free-State men was called to support and instruct another sitting of the "insurrectionary" free-State Legislature elected under the Topeka Constitution. The Governor found a large assemblage, and a very earnest discussion in progress, whether the "Legislature" should pursue only nominal action, such as would in substance amount to a petition for redress of grievances, or whether they should actually organize their State government, and pass a complete code of laws. The moderate free-State men favored the former, the violent and radical the latter, course. When their mass meeting adjourned, they called on the Governor at his lodgings; he made a speech, in which he renewed the counsels and promises of his inaugural address. "The Legislature," said he, "has called a convention to assemble in September next. That constitution they will or they will not submit to the vote of a majority of the then actual resident settlers of Kansas. If they do not submit it, I will join you, fellow-citizens, in lawful opposition to their course. And I cannot doubt, gentlemen, that one much higher than I, the Chief Magistrate of the Union, will join you in that opposition." His invitation to them to participate in the election of a convention produced no effect; they still adhered to their resolve to have nothing to do with any affirmative proceedings under the bogus laws or Territorial

Walker, Topeka Speech, June 6, 1857, in "Washington Union" of June 27, 1857.

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Legislature. But the Governor's promise of a fair vote on the constitution was received with favor. "Although this mass convention," reports the Governor, "did not adopt fully my advice to abandon the whole Topeka movement, yet they did vote down by a large majority the resolutions prepared by the more violent of their own party in favor of a complete State organization and the adoption of a code of State laws."

If the Governor was gratified at this result as indicative of probable success in his official administration, he rejoiced yet more in its significance as a favorable symptom of party politics. "The result of the whole discussion at Topeka," he reported, "was regarded by the friends of law and order as highly favorable to their cause, and as the commencement of a great movement essential to success; viz., the separation of the free-State Democrats from the Republicans, who had to some extent heretofore coöperated under the name of the free-State party." Another party symptom gave the Governor equal, if not greater, encouragement. On the 2d and 3d of July the "National Democratic" or pro-slavery party of the Territory met in convention at Lecompton. The leaders were out in full force. The hopelessness of making Kansas a slave State was once more acknowledged, the Governor's policy indorsed, and a resolution "against the submission of the constitution to a vote of the people was laid on the table as a test vote by forty-two to one." The Governor began already to look upon his counsels and influence as a turning-point in national destiny. "Indeed," he wrote, "it is universally admitted here

Walker to Cass, July 15, 1857. Senate Ex. Doc. No. 8, 1st Sess. 35th Cong. Vol. I., p. 27.

Ibid., p. 29.

that the only real question is this: whether Kansas shall be a conservative, constitutional, Democratic, and ultimately free State, or whether it shall be a Republican and abolition State; and that the course pursued by me is the only one which will prevent the last most calamitous result, which, in my opinion, would soon seal the fate of the republic."

Walker to Cass, July 15, 1857. Senate Ex. Doc. No. 8, 1st Sess. 35th Cong. Vol. I., p. 30.

In his eagerness to reform the Democratic party of Kansas, and to strengthen the Democratic party of the nation against the assaults and dangers of "abolitionism," the Governor was not entirely frank; else he would at the same time have reported, what he was obliged later to explain, that the steps taken to form a constitution from which he hoped so much were already vitiated by such defects or frauds as to render them impossible of producing good fruit. The Territorial law appointing the election of delegates provided for a census and a registry of voters, to be made by county officers appointed by the Territorial Legislature. These officers so neglected or failed to discharge their duty, that in nearly half the organized counties of the interior no attempt whatever was made to obtain the census or registration; and in the counties lying on the Missouri border, where the pro-slavery party was strong, the work of both was exceedingly imperfect, and in many instances with notorious discrimination against free-State voters. While the disfranchised counties had a comparatively sparse population, the number of voters in them was too considerable to be justly denied their due representation.[1] The apportionment of dele-

F. P. Stanton's Speech, Philadelphia, February 8, 1858. Pamphlet.

[1] "These fifteen counties in which there was no registry gave a much larger vote at the October election, even with the six

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gates was based upon this defective registration and census, and this alone would have given the pro-slavery party a disproportionate power in the convention. But at the election of delegates on the 15th of June, the free-State men, following their deliberate purpose and hitherto unvarying practice of non-conformity to the bogus laws, abstained entirely from voting. "The consequence was that out of the 9250 voters whose names had been registered . . . there were in all about 2200 votes cast, and of these the successful candidate received 1800."

F. P. Stanton, Speech, Philadelphia, February 8, 1858.

"The black Republicans," reported the Governor, "would not vote, and the free-State Democrats were kept from voting by the fear that the constitution would not be submitted by the convention, and that by voting they committed themselves to the proceeding of the convention. But for my inaugural, circulated by thousands, and various speeches all urging the people to vote, there would not have been one thousand votes polled in the Territory, and the convention would have been a disastrous failure."

Walker to Buchanan, June 28, 1857. Report Covode Committee, p. 118.

But this was not the only evil. The apportionment of the members of the Territorial Legislature to be chosen the ensuing autumn was also based upon this same defective registry and census. Here again disproportionate power accrued to the pro-slavery party, and the free-State men loudly charged that it was a new contrivance for the convenience of Missouri voters. Governor Walker publicly deplored all these complications and de-

months' qualification, than the whole vote given to the delegates who signed the Lecompton Constitution on the 7th November last."—[Walker to Cass, December 15, 1857. Senate Ex. Doc. No. 8, 1st Sess. 35th Cong. Vol. I., p. 128.]

fects; but he counseled endurance, and constantly urged in mitigation that in the end the people should have the privilege of a fair and direct vote upon their constitution. That promise he held aloft as a beacon-light of hope and redress. This attitude and policy, frequently reported to Washington, was not disavowed or discouraged by the President and Cabinet.

The Governor, however, soon found a storm brewing in another quarter. When the newspapers brought copies of his inaugural address, his Topeka speech, and the general report of his Kansas policy back to the Southern States, there arose an ominous chorus of protest and denunciation from the whole tribe of fire-eating editors and politicians. What right had the Governor to intermeddle? they indignantly demanded. What call to preach about climate, what business to urge submission of the constitution to popular vote, or to promise his own help to defeat it if it were not submitted; what authority to pledge the President and Administration to such a course? The convention was sovereign, they claimed, could do what it pleased, and no thanks to the Governor for his impertinent advice. The Democratic State Convention of Georgia took the matter in hand, and by resolution denounced Walker's inaugural address, and asked his removal from office. The Democratic State Convention of Mississippi followed suit, and called the inaugural address an unjust discrimination against the rights of the South, and a dictatorial intermeddling with the high public duty intrusted to the convention.

Walker wrote a private letter to Buchanan, de-

CHAP. VI. fending his course, and adding: "Unless I am thoroughly and cordially sustained by the Administration here, I cannot control the convention, and we shall have anarchy and civil war. With that cordial support the convention (a majority of whose delegates I have already seen) will do what is right. I shall travel over the whole Territory, make speeches, rouse the people in favor of my plan, and see all the delegates. But your cordial support is indispensable, and I never would have come here, unless assured by you of the cordial coöperation of all the Federal officers. . . The extremists are trying your nerves and mine, but what can they say when the convention submits the constitution to the people and the vote is given by them? But we must have a slave State out of the south-western Indian Territory, and then a calm will follow; Cuba be acquired with the acquiescence of the North; and your Administration, having in reality settled the slavery question, be regarded in all time to come as a re-signing and re-sealing of the constitution. . . I shall be pleased soon to hear from you. Cuba! Cuba! (and Porto Rico, if possible) should be the countersign of your Administration, and it will close in a blaze of glory."[1]

The Governor had reason to be proud of the full and complete reëndorsement which this appeal brought from his chief. Under date of July 12, 1857, the President wrote in reply: "On the question of submitting the constitution to the *bonâ fide* resident settlers of Kansas I am willing to stand

[1] Walker to Buchanan, June 28, 1857. Report Covode Committee, pp. 117–19.

or fall. In sustaining such a principle we cannot fall. It is the principle of the Kansas-Nebraska bill; the principle of popular sovereignty; and the principle at the foundation of all popular government. The more it is discussed the stronger it will become. Should the convention of Kansas adopt this principle, all will be settled harmoniously, and with the blessing of Providence you will return triumphantly from your arduous, important, and responsible mission. The strictures of the Georgia and Mississippi Conventions will then pass away and be speedily forgotten. In regard to Georgia, our news from that State is becoming better every day; we have not yet had time to hear much from Mississippi. Should you answer the resolution of the latter, I would advise you to make the great principle of the submission of the constitution to the *bonâ fide* residents of Kansas conspicuously prominent. On this you will be irresistible."[1]

The delegates to the constitutional convention, chosen in June, met according to law at Lecompton, September 7, and, having spent five days in organization, adjourned their session to October 19. The object of this recess was to await the issue of the general election of October 5, at which a full Territorial Legislature, a delegate to Congress, and various county officers were to be chosen.

By the action of the free-State men this election was now made a turning-point in Kansas politics. Held together as a compact party by their peaceful resistance to the bogus laws, emigration from the North had so strengthened their numbers that

[1] Buchanan to Walker, July 12, 1857. Report Covode Committee, p. 112.

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Wilder, p. 133.

Governor Walker executed his public promises to the letter. A movement of United States troops to Utah was in progress, and about two thousand of these were detained by order until after election day. Stationed at ten or twelve different points in the Territory, they served by their mere presence to overawe disorder, and for the first time in the history of Kansas the two opposing parties measured their strength at the ballot-box. The result was an overwhelming triumph for the free-State party. For delegate in Congress, Ransom, the Democratic candidate, received 3799 votes; Parrott, the Republican candidate, 7888 — a free-State majority of 4089. For the Legislature, even under the defective apportionment, the council stood 9 free-State members to 4 Democrats, and the House 24 free-State members to 15 Democrats.

Oct. 5, 1857.

That the pro-slavery cabal would permit power

to slip from their grasp without some extraordinary effort was scarcely to be expected. When the official returns were brought from the various voting-places to the Governor's office, there came from Oxford, a single precinct in Johnson County, "a roll of paper, forty or fifty feet long, containing names as thickly as they could be written," and a large part of which were afterwards discovered to have been literally copied from an old Cincinnati directory. This paper purported to be a return of 1628 votes for the eleven pro-slavery candidates for the Legislature in that district, and if counted it would elect eight members of the House and three of the council by a trifling majority, and thereby change the political complexion and power of the Legislature. Inspection showed the document to be an attempt to commit a stupendous fraud; and after visiting the locality ("a village with six houses, including stores, and without a tavern") and satisfying himself of the impossibility of such a vote from such a place, Governor Walker rejected the whole return from Oxford precinct for informality, and gave certificates of election to the free-State candidates elected as appeared by the other regular returns. A similar paper from McGee County with more than 1200 names was treated in like manner. Judge Cato issued his writ of mandamus to compel the Governor to give certificates to the pro-slavery candidates, but without success. The language of Governor Walker and Secretary Stanton in a proclamation announcing their action deserves remembrance and imitation. "The consideration that our own party by this decision will lose the majority in the legislative assembly does not make our duty in

Stanton, Speech at Philadelphia, February 8, 1858.

Walker, Proclamation, October 19, 1857. Senate Ex. Doc. No. 8, 1st Sess. 35th Cong. Vol. I., p. 103.

Walker, Proclamation, Oct. 22, 1857. Ibid., pp. 104–6.

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the premises less solemn and imperative. The elective franchise would be utterly valueless, and free government itself would receive a deadly blow, if so great an outrage as this could be shielded under the cover of mere forms and technicalities. We cannot consent in any manner to give the sanction of our respective official positions to such a transaction. Nor can we feel justified to relieve ourselves of the proper responsibility of our offices, in a case where there is no valid return, by submitting the question to the legislative assembly, and in that very act giving the parties that might claim to be chosen by this spurious vote the power to decide upon their own election."

Walker, Proclamation, October 19, 1857. Senate Ex. Doc. No. 8, 1st Sess. 35th Cong. Vol. I., p. 104.

The decisive free-State victory, the Oxford and McGee frauds,[1] and the Governor's fearless action in exposing and rejecting them, called forth universal comment; and under the new political conditions which they revealed, created intense interest in the further proceedings of the Lecompton Constitutional Convention. That body reassembled

[1] The ingenuity which evolved 1600 Kansas votes from an old Cincinnati directory and 1200 more from an uninhabited county, was not exhausted by that prodigious labor. The same influences, and perhaps the same manipulators, produced a companion piece known by the name of the "candle-box fraud." At the election of January 4, 1858, for officers under the Lecompton Constitution, the returns from Delaware Agency underwent such suspicious handling that an investigating commission of the Legislature, by aid of a search-warrant, found them secreted in a candle-box buried under a wood-pile near Calhoun's "surveyor-general's office" at Lecompton. A forged list of 379 votes had been substituted for the original memorandum of only forty-three votes which had been cut from the certificate of the judges; the votes on the forged list being intended for the pro-slavery candidates. During the investigation Calhoun was arrested, but liberated by Judge Cato on *habeas corpus*, after which he immediately went to Missouri, and from there to Washington. The details and testimony are found in House Com. Reports, 1st Sess. 35th Cong., Vol. III., Report No. 377.

according to adjournment on the 19th of October. Elected in the preceding June without any participation by free-State voters, the members were all of the pro-slavery party, and were presided over by John Calhoun, the same man who, as county surveyor of Sangamon County, Illinois, employed Abraham Lincoln as his deputy in 1832.

At the June election, while he and his seven colleagues from Douglas County were yet candidates for the convention, they had circulated a written pledge that they would submit the constitution to the people for ratification. This attitude was generally maintained by them till the October election. But when by that vote they saw their faction overwhelmed with defeat, they and others undertook to maintain themselves in power by an unprecedented piece of political jugglery. Calhoun, who was surveyor-general of the Territory, employed a large number of subordinates, and was one of the most able and unscrupulous leaders in the pro-slavery cabal. A large majority of the convention favored the establishment of slavery; only the question of a popular vote on ratification or rejection excited controversy.

An analysis shows that the principle of delegated authority had become attenuated to a remarkable degree. The defective registration excluded a considerable number (estimated at about one-sixth) of the legal voters. Of the 9250 registered, only about 2200 voted, all told. Of these 2200, only about 1800 votes were given for the successful candidates for delegate. Of the whole sixty delegates alleged to have been chosen, "but forty-three," says a Committee Report, "participated in the work of the con-

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Their allotted task was completed in a short session of about three weeks; the convention adjourned November 7, forty-three of the fifty delegates present having been induced to sign the constitution. When the document was published the whole country was amazed to see what perversity and ingenuity had been employed to thwart the unmistakable popular will. Essentially a slave-State constitution of the most pronounced type, containing the declaration that the right of property in slaves is "before and higher than any constitutional sanction," it made the right to vote upon it depend on the one hand on a test oath to "support this constitution" in order to repel conscientious free-State voters, and on the other hand on mere

[1] Minority Report, Select Com. of Fifteen. Report No. 377, page 109, Vol. III., H. R. Reports, 1st Sess. 35th Cong.

This "missing link," no less than the remaining portion of the journal printed in the proceedings of the investigating committee, is itself strong circumstantial proof of the imposture underlying the whole transaction. Many sections of the completed constitution are not even mentioned in the journal; it does not contain the submission clause of the schedule, and the authenticity of the document rests upon the signature and the certificate of John Calhoun without other verification.

inhabitancy on the day of election to attract nomadic Missourians; it postponed the right to amend or alter for a period of seven years; it kept the then existing territorial laws in force until abrogated by State legislation; it adopted the late Oxford fraud as a basis of apportionment; it gave to Calhoun, the presiding officer, power to designate the precincts, the judges of election, and to decide finally upon the returns in the vote upon it, besides many other questionable or inadmissible provisions. Finally the form of submission to popular vote to be taken on the 21st of December was prescribed to be, "constitution with slavery" or "constitution with no slavery," thus compelling the adoption of the constitution in any event.

There is a personal and political mystery underlying this transaction which history will probably never solve. Only a few points of information have come to light, and they serve to embarrass rather than aid the solution. The first is that Calhoun, although the friend and protégé of Douglas, and also himself personally pledged to submission, came to the Governor and urged him to join in the new programme as to slavery,— alleging that the Administration had changed its policy, and now favored this plan,— and tempted Walker with a prospect of the Presidency if he would concur. Walker declared such a change impossible, and indignantly spurned the proposal. The second is that one Martin, a department clerk, was, after confidential instructions from Secretary Thompson and Secretary Cobb, of Buchanan's Cabinet, sent to Kansas in October, ostensibly on department business; that he spent his time in the lobby and

Walker, Testimony, Report Covode Committee, p. 110.

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the secret caucuses of the convention. Martin testifies that these Cabinet members favored submission, but that Thompson wished it understood that he was unwilling to oppose the admission of Kansas "if a pro-slavery constitution should be made and sent directly to Congress by the convention." A wink was as good as a nod with that body, or rather with the cabal which controlled it; and after a virtuous dumb-show of opposition, it made a pretense of yielding to the inevitable, and acted on the official suggestion. This theory is the more plausible because Martin testifies further that he himself drafted the slavery provision which was finally adopted. The third point is that the President inexcusably abandoned his pledges to the Governor and adopted this Cobb-Thompson-Calhoun contrivance, instead of keeping his word and dismissing Calhoun, as honor dictated. This course becomes especially remarkable in view of the fact that the change did not occur until after Walker's rejection of the fraudulent Oxford returns, which action placed the legislative power of the Territory in the hands of the newly elected free-State Legislature, as already related. On the same day (October 22, 1857) on which Walker and Stanton issued their proclamation rejecting the fraudulent returns, President Buchanan wrote another highly commendatory letter to Governor Walker. As it has never before been published, its full text will have special historical interest.

Martin, Testimony, Report Covode Committee, p. 159.

Ibid., pp. 170-1.

WASHINGTON CITY, 22d October, 1857.

MY DEAR SIR: I have received your favor of the tenth instant by Captain Pleasonton and am rejoiced to learn from you, what I had previously learned from other less

authentic sources, that the convention of Kansas will submit the constitution to the people. It is highly gratifying that the late election passed off so peacefully; and I think we may now fairly anticipate a happy conclusion to all the difficulties in that Territory. Your application for a month's leave of absence has been granted to commence after the adjournment of the convention. During its session your presence will be too important to be dispensed with. I shall be glad to see you before you publish anything. The whole affair is now gliding along smoothly. Indeed, the revulsion in the business of the country seems to have driven all thoughts of "bleeding Kansas" from the public mind. When and in what manner anything shall be published to revive the feeling, is a question of serious importance. I am persuaded that with every passing day the public are more and more disposed to do you justice. You certainly do injustice to Harris, the editor of the "Union." In the beginning I paid some attention to the course of the paper in regard to yourself, and I think it was unexceptionable: I know he stood firm amidst a shower of abuse from the extremists. I never saw nor did I ever hear of the communication published in the "Union" to which you refer, and Harris has no recollection of it. I requested him to find me the number and send it to me; but this he has not done. He is not responsible in any degree for the non-publication of the letters to which you refer.[1] I knew nothing of them until after the receipt of yours; and upon inquiry I found their publication had been prevented by Mr. Cobb under a firm conviction that they would injure both yourself and the Administration.

[1] "Dr. Tebbs and General Whitfield a month since left very strong letters for publication with the editor of the 'Union' which he promised to publish. His breach of this promise is a gross outrage. If not published immediately our success in convention materially depends on my getting an immediate copy at Lecompton. My friends here all regard now the 'Union' as an enemy and encouraging by its neutrality the fire-eaters not to submit the constitution. Very well, the facts are so clear that I can get along without the 'Union,' but he had no right to suppress Dr. Tebbs's letter. I shall in due time expose that transaction."—Extract from a letter of Robert J. Walker to James Buchanan, dated October, 1857.

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Whether he judged wisely or not I cannot say, for I never saw them. That he acted in fairness and friendship I have not a doubt. He was anxious that General Whitfield should publish a letter and prepared one for him, expecting he would sign it before he left. He sent this letter after him for his approval and signature; but it has not been returned. I know not what are its contents. General W. doubtless has the letter in his possession. Beyond all question, the motives of Mr. Cobb were proper. Mrs. Walker and Mrs. Bache have just left me after a half hour's very agreeable conversation. Mrs. Walker desires me to inform you the family are all well and sends her love.

From your friend, very respectfully,

JAMES BUCHANAN.

Hon. ROBERT J. WALKER.[1]

The question naturally occurs, for whom did Calhoun speak when he approached Governor Walker, offering him the bribe of the Presidency and assuring him that the Administration had changed its mind? That was before, or certainly not long after, the probable receipt of this letter in Kansas, for the Governor left the Territory (November 16) about one week after the adjournment of the Lecompton Convention. The question becomes still more pressing owing to Governor Walker's testimony that when he reached Washington, "the President himself distinctly and emphatically assured me that he had not authorized anybody to say that he had approved of that [Lecompton] programme." On whose authority, then, did Calhoun declare that the Administration had changed its mind?

Report Covode Committee, p. 111.

[1] For this autograph letter and other interesting manuscripts, we are indebted to General Duncan S. Walker, a son of the Governor, now residing in Washington, D. C.

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This query brings us to another point in President Buchanan's letter of October 22, in which he mentions that Secretary Cobb, of his Cabinet, had without his knowledge suppressed the publication of certain letters in the "Washington Union." These were, as we learn elsewhere, the letters in which some of the Kansas pro-slavery leaders repeated their declaration of the hopelessness of any further contest to make Kansas a slave State. Why this secret suppression by Secretary Cobb? There is but one plausible explanation of this whole chain of contradictions. The conclusion is almost forced upon us that a Cabinet intrigue, of which the President was kept in ignorance, was being carried on, under the very eyes of Mr. Buchanan, by those whom he himself significantly calls "the extremists"— a plot to supersede his own intentions and make him falsify his own declarations. As in the case of similar intrigues by the same agents a few years later, he had neither the wit to perceive nor the will to resist.

John Bell, Senate Speech, March 18, 1858.

The protest of the people of the Territory against the extraordinary action of the Lecompton Convention almost amounted to a popular revolt. This action opened a wide door to fraud, and invited Missouri over to an invasion of final and permanent conquest. Governor Walker had quitted the Territory on his leave of absence, and Secretary Stanton was acting Governor. "The people in great masses," he says, "and the Legislature that had been elected, with almost a unanimous voice called upon me to convene the Legislature, in order that they might take such steps as they could to counteract the misfortune which they conceived

Stanton, Philadelphia Speech, Feb. 8, 1858

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was about to befall them in the adoption of this constitution." As already stated, Stanton had come to Kansas with the current Democratic prejudices against the free-State party. But his whole course had been frank, sincere, and studiously impartial, and the Oxford fraud had completely opened his eyes. "I now discovered for the first time to my entire satisfaction why it was that the great mass of the people of the Territory had been dissatisfied with their government, and were ready to rebel and throw it off."

Stanton, Philadelphia Speech, Feb. 8, 1858.

Having, like Walker, frequently and earnestly assured the people of their ultimate right to ratify or reject the work of the convention, he was personally humiliated by the unfairness and trickery of which that body was guilty. Under the circumstances he could not hesitate in his duty. By proclamation he convened the new Legislature in extra session.

The members respected the private pledge they had given him to engage in no general legislation; but provided by law for an investigation of the Oxford and McGee frauds, and for an election to be held on January 4, 1858 (the day fixed by the Lecompton Constitution for the election of State officers and a State legislature), at which the people might vote for the Lecompton Constitution or against it. Thus in the course of events two separate votes were taken on this notorious document. The first, provided for in the instrument itself, took place on the 21st of December, 1857. Detachments of troops were stationed at several points; the free-State men abstained from voting; the election was peaceable; and in due time Calhoun proclaimed

that 6143 ballots had been cast "for the constitution with slavery," and 589 "for the constitution with no slavery." But the subsequent legislative investigation disclosed a gross repetition of the Oxford fraud, and proved the actual majority, in a one-sided vote, to have been only 3423. The second election occurred on January 4, 1858, under authority of the legislative act. At this election the pro-slavery party voted for the State officers, but in its turn abstained from voting on the constitution, the result being — against the Lecompton Constitution, 10,226; for the Lecompton Constitution with slavery, 138; for the Lecompton Constitution without slavery, 24.[1]

This emphatic rejection of the Lecompton Constitution by a direct vote of the people of Kansas sealed its fate. We shall see further on what persistent but abortive efforts were made in Congress once more to galvanize it into life. The free-State party were jubilant; but the pro-slavery cabal, foiled and checked, was not yet dismayed or conquered. For now there was developed, for the first time in its full proportions, the giant pro-slavery intrigue which proved that the local conspiracy of the Atchison-Missouri cabal was but the image and fraction of a national combination, finding its headquarters in the Administration, first of President Pierce, and now of President Buchanan; working patiently and insidiously through successive efforts to bring about a practical subversion

[1] Under an Act of Congress popularly known as the "English Bill," this same Lecompton Constitution was once more voted upon by the people of Kansas on August 2, 1858, with the following result: for the proposition, 1788; against it, 11,300.— Wilder, "Annals of Kansas," pp. 186–8.

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of the whole theory and policy of the American Government. It linked the action of Border Ruffians, presidential aspirants, senates, courts, and cabinets into efficient coöperation; leading up, step by step, from the repeal of the Missouri Compromise, through the Nebraska bill, border conquest, the Dred Scott decision, the suppression of the submission clause in the Toombs bill, and the extraordinary manipulation and machinery of the Lecompton Constitution, towards the final overthrow of the doctrine that "all men are created equal," and the substitution of the dogma of property in man; towards the judicial construction that property rights in human beings are before and above constitutional sanction, and that slavery must find protection and perpetuity in States as well as in Territories.

The first weather-sign came from Washington. On the day after Acting Governor Stanton convened the October Legislature in special session, and before news of the event reached him, Secretary Cass transmitted to him advance copies of the President's annual message, in which the Lecompton Constitution was indorsed in unqualified terms. A week later he was admonished to conform to the views of the President in his official conduct. At this point the State Department became informed of what had taken place, and the acting Governor had short shrift. On December 11 Cass wrote to J. W. Denver, Esq.: "You have already been informed that Mr. Stanton has been removed from the office of Secretary of the Territory of Kansas and that you have been appointed in his place." Cass further explained that the President "was

Cass to Stanton, December 2, 1857. Senate Ex. Doc. No. 8, 1st Sess. 35th Cong. Vol. I., pp. 112-13.

Cass to Stanton, December 8, 1857. Ibid., p. 113.

surprised to learn that the secretary and acting Governor had, on the 1st of December, issued his proclamation for a special session of the Territorial Legislature on the 7th instant, only a few weeks in advance of its regular time of meeting, and only fourteen days before the decision was to be made on the question submitted by the convention. This course of Mr. Stanton, the President seriously believes, has thrown a new element of discord among the excited people of Kansas, and is directly at war, therefore, with the peaceful policy of the Administration. For this reason he has felt it his duty to remove him."

Cass to Denver, December 11th, 1857. Senate Ex. Doc. No. 8. 1st Sess. 35th Cong. Vol. I., p. 120.

Walker, already in Washington on leave of absence, could no longer remain silent. He was as pointedly abandoned and disgraced by the Administration as was his subordinate. In a dignified letter justifying his own course, which, he reminded them, had never been criticized or disavowed, he resigned the governorship. "From the events occurring in Kansas as well as here," he wrote, "it is evident that the question is passing from theories into practice; and that as governor of Kansas I should be compelled to carry out new instructions, differing on a vital question from those received at the date of my appointment. Such instructions I could not execute consistently with my views of the Federal Constitution, of the Kansas and Nebraska bill, or with my pledges to the people of Kansas." "The idea entertained by some that I should see the Federal Constitution and the Kansas-Nebraska bill overthrown and disregarded, and that, playing the part of a mute in a pantomime of ruin, I should acquiesce by my

CHAP. VI. silence in such a result, especially where such acquiescence involved, as an immediate consequence, a disastrous and sanguinary civil war, seems to me most preposterous."[1]

The conduct and the language of Walker and Stanton bear a remarkable significance when we remember that they had been citizens of slave States and zealous Democratic partisans, and that only hard practical experience and the testimony of their own eyes had forced them to join their predecessors in the political "graveyard." "The ghosts on the banks of the Styx," said Seward, "constitute a cloud scarcely more dense than the spirits of the departed Governors of Kansas, wandering in exile and sorrow for having certified the truth against falsehood in regard to the elections between Freedom and Slavery in Kansas."

[1] Walker to Cass, Dec. 15, 1857. Senate Ex. Doc. No. 8, 1st Sess., 35th Cong. Vol. I., pp. 131, 130.

CHAPTER VII

THE REVOLT OF DOUGLAS

THE language of President Buchanan's annual message, the summary dismissal of Acting Governor Stanton, and the resignation of Governor Walker abruptly transferred the whole Lecompton question from Kansas to Washington; and even before the people of the Territory had practically decided it by the respective popular votes of December 21, 1857, and January 4, 1858, it had become the dominant political issue in the Thirty-fifth Congress, which convened on December 7, 1857. The attitude of Senator Douglas on the new question claimed universal attention. The Dred Scott decision, affirming constitutional sanction and inviolability for slave property in Territories, had rudely damaged his theory. But we have seen how in his Springfield speech he ingeniously sought to repair and rehabilitate "popular sovereignty" by the sophism that a master's abstract constitutional right to slave property in a Territory was a "barren and a worthless right unless sustained, protected, and enforced by appropriate police regulations," which could only be supplied by the local Territorial Legislatures; and that the people of Kansas thus still possessed the power of indirect prohibition.

CHAP. VII. To invent and utter this sophism for home consumption among his distant constituents on the
1857. 12th of June (a few days before the Lecompton delegates were elected), and in so unobtrusive a manner as scarcely to attract a ripple of public notice, was a light task compared with that which confronted him as Senator, at the meeting of
1857. Congress in December, in the light of John Calhoun's doings and powers, of the scandal of the Oxford fraud, and of the indignation of Northern Democrats against the betrayal of Walker and Stanton.

One of his first experiences was a personal quarrel with Buchanan. When he reached Washington, three days before the session, he went to the President to protest against his adopting the Lecompton Constitution and sending it to Congress for acceptance. Buchanan insisted that he must recommend it in his annual message. Douglas replied that he would denounce it as soon as it was read. The President, excited, told him "to remember that no Democrat ever yet differed from an administration of his own choice without being crushed. Beware of the fate of Tallmadge and Rives."

Douglas, Milwaukee Speech, October 13, 1860.

"Mr. President," retorted Douglas, "I wish you to remember that General Jackson is dead."

In the election of Mr. Buchanan as President the South had secured a most important ally for the work of pro-slavery reaction. Trained in the belief that the South had hitherto been wronged, he was ready on every occasion to appear as her champion for redress; and Southern politicians were now eager to use his leadership to make their views of

public policy and constitutional duty acceptable to the North. Respectable in capacity but feeble in will, he easily submitted to control and guidance from a few Southern leaders of superior intellectual force. In his inaugural, he sought to prepare public opinion for obedience to the Dred Scott decision, and since its publication he had undertaken to interpret its scope and effect. Replying to a memorial from certain citizens of New England, he declared in a public letter, "Slavery existed at that period, and still exists in Kansas, under the Constitution of the United States. This point has at last been finally decided by the highest tribunal known to our laws. How it could ever have been seriously doubted is a mystery."[1] In the same letter he affirmed the legality of the Lecompton Convention, though he yet clearly expressed his expectation that the constitution to be framed by it would be submitted to the popular vote for "approbation or rejection." CHAP. VII

But when that convention adjourned, and made known its cunningly devised work, the whole South instantly became clamorous to secure the sectional advantages which lay in its technical regularity, its strong affirmance of the "property" theory, and the extraordinary power it gave to John Calhoun to control the election and decide the returns. This powerful reactionary movement was not lost upon Mr. Buchanan. He reflected it as unerringly as the vane moves to the change of the wind. Long before the meeting of Congress, the Administration organ, the "Washington Union,"

[1] Buchanan to Silliman and others, Aug. 15, 1857. Senate Ex. Doc. No. 8, 1st Sess. 35th Cong. Vol. I., p. 74.

CHAP. VII. 1857.

heralded and strongly supported the new departure. When, on the 8th of December, the President's annual message was transmitted and read, the Lecompton Constitution, as framed and submitted, was therein warmly indorsed and its acceptance indicated as the future Administration policy.

The language of this message discloses with what subtle ingenuity words, phrases, definitions, ideas, and theories were being invented and plied to broaden and secure every conquest of the pro-slavery reaction. An elaborate argument was made to defend the enormities of the Lecompton Constitution. The doctrine of the Silliman letter, that "slavery exists in Kansas under the Constitution of the United States," was assumed as a conceded theory. "In emerging from the condition of territorial dependence into that of a sovereign State," the people might vote "whether this important domestic institution should or should not continue to exist." "Domestic institutions" was defined to mean slavery. "Free to form and regulate their domestic institutions" — the phrase employed in the Kansas-Nebraska act — was construed to mean a vote to continue or discontinue slavery. And "if any portion of the inhabitants shall refuse to vote, a fair opportunity to do so having been presented, . . . they alone will be responsible for the consequences." "Should the constitution without slavery be adopted by the votes of the majority, the rights of property in slaves now in the Territory are reserved. . . These slaves were brought into the Territory under the Constitution of the United States and are now the property of their masters. This point has at length

been finally decided by the highest judicial tribunal of the country."

Buchanan, Annual Message, December 8, 1857.

However blind Buchanan might be to the fact that this extreme interpretation shocked and alarmed the sentiment of the North; that if made before the late Presidential campaign it would have defeated his own election; and that if rudely persisted in, it might destroy the Democratic ascendency in the future, the danger was obvious and immediately vital to Douglas. His senatorial term was about to expire. To secure a reëlection he must carry the State of Illinois in 1858, which had on an issue less pronounced than this defeated his colleague Shields in 1854, and his lieutenant Richardson in 1856. But more than this, his own personal honor was as much involved in his pledges to the voters of Illinois as had been that of Governor Walker to the voters of Kansas. His double-dealing caucus bargain had thus placed him between two fires — party disgrace at Washington and popular disgrace in Illinois. In such a dilemma his choice could not be doubtful. At all risk he must endeavor to sustain himself at home.

He met the encounter with his usual adroitness and boldness. Assuming that the President had made no express recommendation, he devoted his speech mainly to a strong argument of party expediency, repelling without reserve and denouncing without stint the work of the Lecompton Convention. "Stand by the doctrine," said he, "that leaves the people perfectly free to form and regulate their institutions for themselves, in their own way, and your party will be united and irresistible in power. Abandon that great principle

CHAP. VII. and the party is not worth saving, and cannot be saved after it shall be violated. I trust we are not to be rushed upon this question. Why shall it be done? Who is to be benefited? Is the South to be the gainer? Is the North to be the gainer? Neither the North nor the South has the right to gain a sectional advantage by trickery or fraud. . . But I am told on all sides, 'Oh! just wait; the pro-slavery clause will be voted down.' That does not obviate any of my objections; it does not diminish any of them. You have no more right to force a free-State constitution on Kansas than a slave-State constitution. If Kansas wants a slave-State constitution she has a right to it; if she wants a free-State constitution she has a right to it. It is none of my business which way the slavery clause is decided. I care not whether it is voted down or voted up. Do you suppose, after the pledges of my honor that I would go for that principle and leave the people to vote as they choose, that I would now degrade myself by voting one way if the slavery clause be voted down, and another way if it be voted up? I care not how that vote may stand. . . Ignore Lecompton; ignore Topeka; treat both those party movements as irregular and void; pass a fair bill — the one that we framed ourselves when we were acting as a unit; have a fair election — and you will have peace in the Democratic party, and peace throughout the country, in ninety days. The people want a fair vote. They will never be satisfied without it. . . But if this constitution is to be forced down our throats in violation of the fundamental principle of free government, under a mode of sub-

mission that is a mockery and insult, I will resist it to the last."

Douglas, Senate Speech, December 9, 1857. "Globe," p. 18.

President Buchanan and the strong pro-slavery faction which was directing his course paid no attention whatever to this proposal of a compromise. Shylock had come into court to demand his bond, and would heed no pleas of equity or appeals to grace. The elections of December 21 and January 4 were held in due time, and with what result we have already seen. John Calhoun counted the votes on January 13 and declared the "Lecompton Constitution with slavery" adopted, prudently reserving, however, any announcement concerning the State officers or Legislature under it. This much accomplished, he hurried away to Washington, where he was received with open arms by the President and his advisers, who at once proceeded with a united and formidable effort to legalize the transparent farce by Congressional sanction.

On the second day of February, 1858, President Buchanan transmitted to Congress the Lecompton Constitution, "received from J. Calhoun, Esq.," and "duly certified by himself." The President's accompanying special message argues that the organic law of the Territory conferred the essential rights of an enabling act; that the free-State party stood in the attitude of willful and chronic revolution; that their various refusals to vote were a sufficient bar to complaint and objection; that the several steps in the creation and work of the Lecompton Convention were regular and legal. "The people of Kansas have, then, 'in their own way,' and in strict accordance with the organic act, framed a constitution and State government, have

CHAP. VII. submitted the all-important question of slavery to the people, and have elected a governor, a member to represent them in Congress, members of the State Legislature, and other State officers. They now ask admission into the Union under this constitution, which is Republican in form. It is for Congress to decide whether they will admit or reject the State which has thus been created. For my own part I am decidedly in favor of its admission and thus terminating the Kansas question."

1858. The vote of January 4 against the constitution he declared to be illegal because it was "held after the Territory had been prepared for admission into the Union as a sovereign State, and when no authority existed in the Territorial Legislature which could possibly destroy its existence or change its character." His own inconsistency was lightly glossed over. "For my own part, when I instructed Governor Walker in general terms, in favor of submitting the constitution to the people, I had no object in view except the all-absorbing question of slavery. . . I then believed, and still believe, that under the organic act, the Kansas Convention were bound to submit this all-important question of slavery to the people. It was never, however, my opinion that independently of this act they would have been bound to submit any portion of the constitution to a popular vote, in order to give it validity."

To the public at large, the central point of interest in this special message, however, was the following dogmatic announcement by the President: "It has been solemnly adjudged by the highest judicial tribunal known to our laws that slavery

exists in Kansas by virtue of the Constitution of the United States. Kansas is, therefore, at this moment as much a slave State as Georgia or South Carolina. Without this, the equality of the sovereign States composing the Union would be violated, and the use and enjoyment of a territory acquired by the common treasure of all the States would be closed against the people and the property of nearly half the members of the Confederacy. Slavery can, therefore, never be prohibited in Kansas except by means of a constitutional provision, and in no other manner can this be obtained so promptly, if a majority of the people desire it, as by admitting it into the Union under its present constitution."

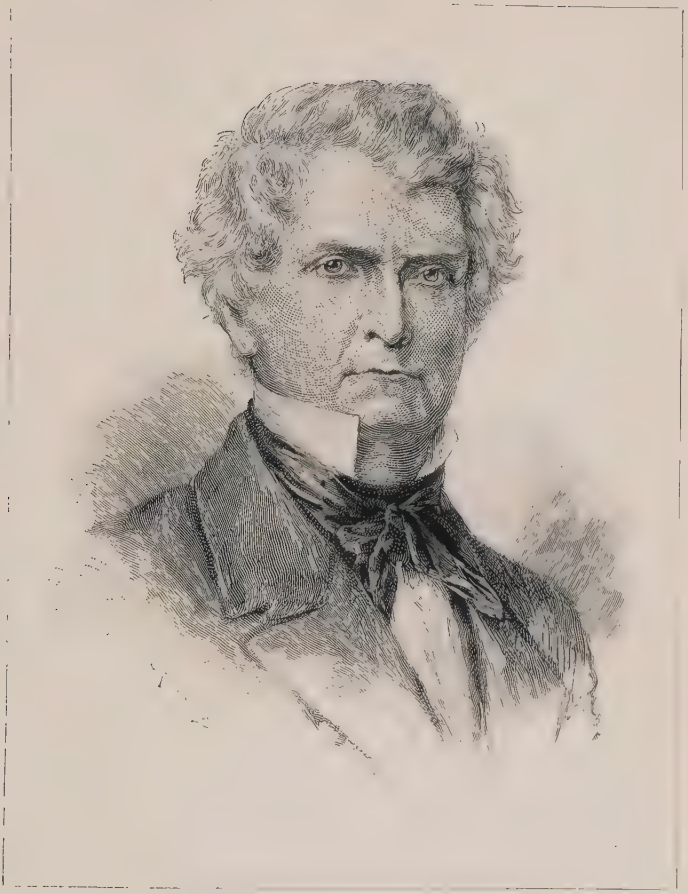
In the light of subsequent history this extreme pro-slavery programme was not only wrong in morals and statesmanship, but short-sighted and foolhardy as a party policy. But to the eyes of President Buchanan this latter view was not so plain. The country was apparently in the full tide of a pro-slavery reaction. He had not only been elected President, but the Democratic party had also recovered its control of Congress. The presiding officer of each branch was a Southerner. Out of 64 members of the Senate, 39 were Democrats, 20 Republicans, and five Americans or Know-Nothings. Of the 237 members of the House, 131 were Democrats, 92 Republicans, and 14 Americans. Here was a clear majority of fourteen in the upper and twenty-five in the lower House. This was indeed no longer the formidable legislative power which repealed the Missouri Compromise, but it seemed perhaps a sufficient force to carry out the President's recom-

CHAP VII. mendation. His error was in forgetting that this apparent popular indorsement was secured to him and his party by means of the double construction placed upon the Nebraska bill and the Cincinnati platform, by the caucus bargain between the leaders of the South and the leaders of the North. The moment had come when this unnatural alliance needed to be exposed and in part repudiated.

The haste with which the Southern leaders advanced step by step, forced every issue, and were now pushing their allies to the wall was, to say the least, bad management, but it grew logically out of their situation. They were swimming against the stream. The leading forces of civilization, population, wealth, commerce, intelligence, were bearing them down. The balance of power was lost. Already there were sixteen free States to fifteen slave States. Minnesota and Oregon, inevitably destined also to become free, were applying for admission to the Union.

Still, the case of the South was not hopeless. Kansas was apparently within their grasp. Existing law provided for the formation and admission of four additional States to be carved out of Texas, which would certainly become slave States. Then there remained the possible division of California, and a race for the possession of New Mexico and Arizona. Behind all, or, more likely, before all except Kansas, in the order of desired events, was the darling ambition of President Buchanan, the annexation of Cuba. As United States Minister to England he had publicly declared that if Spain refused to sell us that coveted island we should be justified in wresting it from her by force; as Presi-

Ostend Manifesto, Oct. 9, 1854.



JOHN CALHOUN.

dential candidate he had confidentially avowed, amid the first blushes of his new honor, "If I can be instrumental in settling the slavery question upon the terms I have mentioned, and then add Cuba to the Union, I shall, if President, be willing to give up the ghost, and let Breckinridge take the government." Thus, even excluding the more problematical chances which lay hidden in filibustering enterprises, there was a possibility, easily demonstrable to the sanguine, that a decade or two might change mere numerical preponderance from the free to the slave States. Nor could this possibility be waved aside by any affectation of incredulity. Not alone Mr. Buchanan but the whole Democratic party was publicly pledged to annexation. "Resolved," said the Cincinnati platform, "that the Democratic party will expect of the next Administration that every proper effort be made to insure our ascendency in the Gulf of Mexico"; while another resolution declaring sympathy with efforts to "regenerate" Central America was no less significant.

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Senator Brown to Adams, June 18, 1856. Greeley, "Am. Conflict," Vol. I., p. 278.

Official proceedings, Pamphlet.

But to accomplish such marvels, they must not sit with folded hands. The price of slavery was fearless aggression. They must build on a deeper foundation than Presidential elections, party majorities, or even than votes in the Senate. The theory of the government must be reversed, the philosophy of the republic interpreted anew. In this subtler effort they had made notable progress. By the Kansas-Nebraska act they had paralyzed the legislation of half a century. By the Dred Scott decision they had changed the Constitution and blighted the Declaration of Independence. By

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the Lecompton trick they would show that in conflict with their dogmas the public will was vicious, and in conflict with their intrigues the majority powerless. They had the President, the Cabinet, the Senate, the House, the Supreme Court, and, by no means least in the immediate problem, John Calhoun with his technical investiture of far-reaching authority. The country had recovered from the shock of the repeal of the Missouri Compromise, and rewarded them with Buchanan. Would it not equally recover from the shock of the Lecompton Constitution?

It was precisely at this point that the bent bow broke. The great bulk of the Democratic party followed the President and his Southern advisers, even in this extreme step; but to a minority sufficient to turn the scale the Lecompton scandal had become too offensive for further tolerance.

In the Senate, with its heavy Democratic majority, the Administration easily secured the passage of a bill to admit Kansas with the Lecompton Constitution. Out of eleven Democratic Senators from free States, only three — Douglas of Illinois, Broderick of California, and Stuart of Michigan — took courage to speak and vote against the measure. In the House of Representatives, however, with a narrower margin of political power, the scheme, after an exciting discussion running through about two months, met a decisive defeat. A formidable popular opposition to it had developed itself in the North, in which speeches and letters from Governor Walker and Secretary Stanton in denunciation of it were a leading feature and a powerful influence. The lower House of Congress

always responds quickly to currents of public sentiment; but in this case it caught direction all the more promptly because its members were to be chosen anew in the ensuing autumn. However much they might have party subordination and success at heart, some of them felt that they could not defend before their antislavery constituencies the Oxford frauds, the Calhoun dictatorship, the theory that slave property is above constitutional sanction, and the dogma that "Kansas is therefore at this moment as much a slave State as Georgia or South Carolina." When the test vote was taken on April 1, out of the 53 Democratic representatives from the free States 31 voted for Lecompton; but the remaining 22,[1] joining their strength to the opposition, passed a substitute, originating with Mr. Crittenden of the Senate, which in substance directed a resubmission of the Lecompton Constitution to the people of Kansas; — if adopted, the President to admit the new State by a simple proclamation; if rejected, the people to call a convention and frame a new instrument. CHAP. VII.

As the October vote had been the turning-point in the local popular struggle in the Territory, this adoption of the Crittenden-Montgomery substitute, by a total vote of 120 to 112 in the House of Representatives, was the culmination of the National intrigue to secure Kansas for the South. It was a narrow victory for freedom; a change of 5 votes would have passed the Lecompton bill and admitted the State with slavery, and a constitutional

1 From California, 1; Illinois, 5; Indiana, 3; New Jersey, 1; New York, 2; Ohio, 6; Pennsylvania, 4. For Lecompton: California, 1; Connecticut, 2; Indiana, 3; New Jersey, 2; New York, 10; Ohio, 2; Pennsylvania, 11.

CHAP. VII. prohibition against any change for seven years to come. With his authority to control election returns, there is every reason to suppose that Calhoun would have set up a pro-slavery State Legislature, to choose two pro-slavery senators, whom in its turn the strong Lecompton majority in the United States Senate would have admitted to seats; and thus the whole chain of fraud and usurpation back to the first Border-Ruffian invasion of Kansas would have become complete, legal, and irrevocable, on plea of mere formal and technical regularity.

Foiled in its main object, the Administration made another effort which served to break somewhat the force and humiliation of its first and signal defeat. The two Houses of Congress having disagreed as stated, and each having once more voted to adhere to its own action, the President managed to make enough converts among the anti-Lecompton Democrats of the House to secure the appointment of a committee of conference. This committee devised what became popularly known as the "English bill," a measure which tendered a land grant to the new State, and provided that on the following August 3d the people of Kansas might vote "proposition accepted" or "proposition rejected." Acceptance should work the admission of the State with the Lecompton Constitution, while rejection should postpone any admission until her population reached the ratio of representation required for a member of the House. "Hence it will be argued," exclaimed Douglas, "in one portion of the Union that this is a submission of the constitution, and in another portion that it is not."

The English bill became a law; but the people of Kansas once more voted to reject the "proposition" by nearly ten thousand majority. CHAP. VII.

Douglas opposed the English bill as he had done the Lecompton bill, thus maintaining his attitude as the chief leader of the anti-Lecompton opposition. In proportion as he received encouragement and commendation from Republican and American newspapers, he fell under the ban of the Administration journals. The "Washington Union" especially pursued him with denunciation. "It has read me out of the Democratic party every other day, at least, for two or three months," said he, "and keeps reading me out; and, as if it had not succeeded, still continues to read me out, using such terms as 'traitor,' 'renegade,' 'deserter,' and other kind and polite epithets of that nature." He explained that this arose from his having voted in the Senate against its editor for the office of public printer; but he also pointed out that he did so because that journal had become pro-slavery to the point of declaring "that the emancipation acts of New York, of New England, of Pennsylvania, and of New Jersey were unconstitutional, were outrages upon the right of property, were violations of the Constitution of the United States." "The proposition is advanced," continued he, "that a Southern man has a right to move from South Carolina with his negroes into Illinois, to settle there and hold them there as slaves, anything in the constitution and laws of Illinois to the contrary notwithstanding." Douglas further intimated broadly that the President and Cabinet were inspiring these editorials of the Administration organ, as part and

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parcel of the same system and object with which they were pushing the Lecompton Constitution with its odious "property" doctrine; and declared, "if my protest against this interpolation into the policy of this country or the creed of the Democratic party is to bring me under the ban, I am ready to meet the issue."

Douglas, Senate Speech, March 22, 1858. App. "Globe," pp. 199, 200.

He had not long to wait for the issue. The party rupture was radical, not superficial. It was, as he had himself pointed out, part of the contest for national supremacy between slavery and freedom. From time to time he still held out the olive-branch and pointed wistfully to the path of reconciliation. But the reactionary faction which ruled Mr. Buchanan never forgave Douglas for his part in defeating Lecompton, and more especially for what they alleged to be his treachery to his caucus bargain, in refusing to accept and defend all the logical consequences of the Dred Scott decision.

CHAPTER VIII

THE LINCOLN–DOUGLAS DEBATES

THE anti-Lecompton recusancy of Douglas baffled the plotting extremists of the South, and created additional dissension in the Democratic ranks; and this growing Democratic weakness and the increasing Republican ardor and strength presaged a possible Republican success in the coming Presidential election. While this condition of things gave national politics an unusual interest, the State of Illinois now became the field of a local contest which for the moment held the attention of the entire country in such a degree as to involve and even eclipse national issues.

In this local contest in Illinois, the choice of candidates on both sides was determined long beforehand by a popular feeling, stronger and more unerring than ordinary individual or caucus intrigues. Douglas, as author of the repeal of the Missouri Compromise, as a formidable Presidential aspirant, and now again as leader of the anti-Lecompton Democrats, could, of course, have no rival in his party for his own Senatorial seat. Lincoln, who had in 1854 gracefully yielded his justly won Senatorial honors to Trumbull, and who alone bearded Douglas in his own State throughout the

CHAP. VIII. whole anti-Nebraska struggle, with anything like a show of equal political courage and intellectual strength, was as inevitably the leader and choice of the Republicans. Their State convention met in Springfield on the 16th of June, 1858, and, after its ordinary routine work, passed with acclamation a separate resolution, which declared "that Abraham Lincoln is the first and only choice of the Republicans of Illinois for the United States Senate as the successor of Stephen A. Douglas." The proceedings of the convention had consumed the afternoon, and an adjournment was taken. At 8 o'clock that same evening, the convention having reassembled in the State-house, Lincoln appeared before it, and made what was perhaps the most carefully prepared speech of his whole life. Every word of it was written, every sentence had been tested; but the speaker delivered it without manuscript or notes. It was not an ordinary oration, but, in the main, an argument, as sententious and axiomatic as if made to a bench of jurists. Its opening sentences contained a political prophecy which not only became the ground-work of the campaign, but heralded one of the world's great historical events. He said:

"If we could first know where we are and whither we are tending, we could better judge what to do and how to do it. We are now far into the fifth year since a policy was initiated, with the avowed object and confident promise of putting an end to slavery agitation. Under the operation of that policy, that agitation has not only not ceased, but has constantly augmented. In my opinion it will not cease until a crisis shall have been reached and passed. 'A house divided against itself cannot

stand.' I believe this Government cannot endure permanently, half slave and half free. I do not expect the Union to be dissolved — I do not expect the house to fall — but I do expect it will cease to be divided. It will become all one thing or all the other. Either the opponents of slavery will arrest the further spread of it, and place it where the public mind shall rest in the belief that it is in course of ultimate extinction; or its advocates will push it forward till it shall become alike lawful in all the States, old as well as new, North as well as South." Lincoln-Douglas Debates, p. 1.

Then followed his demonstration, through the incidents of the Nebraska legislation, the Dred Scott decision, and present political theories and issues, which would by and by find embodiment in new laws and future legal doctrines. The repeal of the Missouri Compromise, the language of the Nebraska bill, which declared slavery "subject to the Constitution," the Dred Scott decision, which declared that "subject to the Constitution" neither Congress nor a Territorial Legislature could exclude slavery from a Territory — the argument presented point by point and step by step with legal precision the silent subversion of cherished principles of liberty. "Put this and that together," said he, "and we have another nice little niche, which we may ere long see filled with another Supreme Court decision, declaring that the Constitution of the United States does not permit a State to exclude slavery from its limits. . . Such a decision is all that slavery now lacks of being alike lawful in all the States. . . We shall lie down," continued the orator, "pleasantly

CHAP. VIII. dreaming that the people of Missouri are on the verge of making their State free; and we shall awake to the reality instead, that the Supreme Court has made Illinois a slave State."

His peroration was a battle-call: "Our cause, then, must be intrusted to and conducted by its own undoubted friends, those whose hands are free, whose hearts are in the work, who do care for the result. Two years ago the Republicans of the nation mustered over thirteen hundred thousand strong. We did this under the single impulse of resistance to a common danger, with every external circumstance against us. Of strange, discordant, and even hostile elements we gathered from the four winds, and formed and fought the battle through, under the constant hot fire of a disciplined, proud, and pampered enemy. Did we brave all then to falter now? — now, when that same enemy is wavering, dissevered, and belligerent? The result is not doubtful. We shall not fail — if we stand firm we shall not fail. Wise counsels may accelerate or mistakes delay it, but sooner or later the victory is sure to come."

Lincoln's declaration that the cause of slavery restriction "must be intrusted to its own undoubted friends" had something more than a general meaning. We have seen that while Douglas avowed he did not care "whether slavery was voted down or voted up" in the Territories, he had opposed the Lecompton Constitution on the ground of its non-submission to popular vote, and that this opposition caused the Buchanan Democrats to treat him as an apostate. Many earnest Republicans were moved to strong sympathy for Douglas in this

attitude, partly for his help in defeating the Lecompton iniquity, partly because they believed his action in this particular a prelude to further political repentance, partly out of that chivalric generosity of human nature which sides with the weak against the strong. In the hour of his trial and danger many wishes for his successful reëlection came to him from Republicans of national prominence. Greeley, in the New York "Tribune" as well as in private letters, made no concealment of such a desire. Burlingame, in a fervid speech in the House of Representatives, called upon the young men of the country to stand by the Douglas men. It was known that Colfax and other influential members of the House were holding confidential interviews with Douglas, the object of which it was not difficult to guess. There were even rumors that Seward intended to interfere in his behalf. This report was bruited about so industriously that he felt it necessary to permit a personal friend to write an emphatic denial, so that it might come to Lincoln's knowledge. On the other hand, newspapers ventured the suggestion that Lincoln might retaliate by a combination against Seward's Presidential aspirations.

See O. J. Hollister, "Life of Colfax," pp. 119–22.

J. Watson Webb to Bates, June 9, 1858. MS.

Rival politicians in Illinois were suspicious of each other, and did not hesitate to communicate their suspicions to Lincoln. Personal friends, of course, kept him well informed about these various political under-currents, and an interesting letter of his shows that he received and treated the matter with liberal charity. "I have never said or thought more," wrote he, "as to the inclination of some of our Eastern Republican friends to favor

Wentworth to Lincoln, April 19, 1858. MS.

CHAP. VIII. Douglas, than I expressed in your hearing on the evening of the 21st April, at the State Library in this place. I have believed — do believe now — that Greeley, for instance, would be rather pleased to see Douglas reëlected over me or any other Republican; and yet I do not believe it is so because of any secret arrangement with Douglas — it is because he thinks Douglas's superior position, reputation, experience, and ability, if you please, would more than compensate for his lack of a pure Republican position, and, therefore, his reëlection do the general cause of Republicanism more good than would the election of any one of our better undistinguished pure Republicans. I do not know how you estimate Greeley, but I consider him incapable of corruption or falsehood. He denies that he directly is taking part in favor of Douglas, and I believe him.[1] Still his feeling constantly manifests itself in his paper, which, being so extensively read in Illinois, is, and will continue to be, a drag upon us. I have also thought that Governor

[1] It is interesting to compare with Lincoln's letter one from Greeley to a Chicago editor on the same subject:

"NEW YORK,
"July 24, 1858.

"MY FRIEND: You have taken your own course — don't try to throw the blame on others. You have repelled Douglas, who might have been conciliated and attached to our own side, whatever he may *now* find it necessary to say, or do, and instead of helping us in other States, you have thrown a load upon us that may probably break us down. You knew what was the almost unanimous desire of the Republicans of other States; and you spurned and insulted them. Now go ahead and fight it through. You are in for it, and it does no good to make up wry faces. What I have said in the 'Tribune' since the fight was resolved on, has been in good faith, intended to help you through. If Lincoln would fight up to the work also, you might get through — if he apologizes, and retreats, he is lost, and all others go down with him. His first Springfield speech (at the convention) was in the right key; his Chicago

Seward, too, feels about as Greeley does; but not being a newspaper editor, his feeling in this respect is not much manifested. I have no idea that he is, by conversation or by letter, urging Illinois Republicans to vote for Douglas. CHAP. VIII.

"As to myself, let me pledge you my word that neither I nor my friends, so far as I know, have been setting stake against Governor Seward. No combination has been made with me, or proposed to me, in relation to the next Presidential candidate. The same thing is true in regard to the next Governor of our State. I am not directly or indirectly committed to any one; nor has any one made any advance to me upon the subject. I have had many free conversations with John Wentworth; but he never dropped a remark that led me to suspect that he wishes to be Governor. Indeed it is due to truth to say that while he has uniformly expressed himself for me, he has never hinted at any condition. The signs are that we shall have a good convention on the 16th, and I think our prospects generally are improving some every day. I believe

speech was bad; and I fear the new Springfield speech is worse. If he dare not stand on broad Republican ground, he cannot stand at all. That, however, is *his* business; he is nowise responsible for what I say. I shall stand on the broad antislavery ground, which I have occupied for years. I cannot change it to help your fight; and I should only damage you if I did. You have got your Elephant — you would have him — now shoulder him! He is not so very heavy, after all. As I seem to displease you equally when I try to keep you out of trouble, and when, having rushed in in spite of me, I try to help you in the struggle you have unwisely provoked, I must keep neutral, so far as may be hereafter. Yours,

(Signed) "HORACE GREELEY.

"J. MEDILL, Esq., Chicago, (very) Ill.

"What have I ever said in favor of 'Negro equality' with reference to your fight? I recollect nothing."

The above is from a manuscript copy of Greeley's letter, but it bears internal evidence of genuineness.

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we need nothing so much as to get rid of unjust suspicions of one another."

Lincoln to Wilson, June 1, 1858. MS.

While many alleged defections were soon disproved by the ready and loyal avowals of his friends in Illinois and elsewhere, there came to him a serious disappointment from a quarter whence he little expected it. Early in the canvass Lincoln began to hear that Crittenden, of Kentucky, favored the reëlection of Douglas, and had promised so to advise the Whigs of Illinois by a public letter. Deeming it well-nigh incredible that a Kentucky Whig like Crittenden could take such a part against an Illinois Whig of his own standing and service, to help a life-long opponent of Clay and his cherished plans, Lincoln addressed him a private letter making the direct inquiry. "I do not believe the story," he wrote, "but still it gives me some uneasiness. If such was your inclination, I do not believe you would so express yourself. It is not in character with you as I have always estimated you." Crittenden's reply, however, confirmed his worst fears. He said he and Douglas had acted together to oppose Lecompton. For this Douglas had been assailed, and he thought his reëlection was necessary to rebuke the Buchanan Administration. In addition Crittenden also soon wrote the expected letter for publication, in which phraseology of apparent fairness covered an urgent appeal in Douglas's behalf.

Lincoln to Crittenden, July 7, 1858. Mrs. Coleman, "Life of Crittenden," Vol. II., p. 162.

Crittenden to Lincoln, July 29, 1858. Ibid., p. 163.

Crittenden to Dickey, August 1, 1858. Ibid., p. 164.

In the evenly balanced and sensitive condition of Illinois politics this ungracious outside interference may be said to have insured Lincoln's defeat. While it gave him pain to be thus wounded in the house of his friends, he yet more deeply deplored

the inexcusable blunder of leaders whose misplaced sympathy put in jeopardy the success of a vital political principle. In his convention speech he had forcibly stated the error and danger of such a step. "How can he [Douglas] oppose the advances of slavery? He don't care anything about it. His avowed mission is impressing the 'public heart' to care nothing about it. . . For years he has labored to prove it a sacred right of white men to take negro slaves into the new Territories. Can he possibly show that it is less a sacred right to buy them where they can be bought cheapest? And unquestionably they can be bought cheaper in Africa than in Virginia. He has done all in his power to reduce the whole question of slavery to one of a mere right of property. . . Now as ever, I wish not to misrepresent Judge Douglas's position, question his motives, or do aught that can be personally offensive to him. Whenever, if ever, he and we can come together on principle so that our great cause may have assistance from his great ability, I hope to have interposed no adventitious obstacle. But clearly he is not now with us — he does not pretend to be — he does not promise ever to be." CHAP. VIII. Lincoln-Douglas Debates, pp. 4–5.

Lincoln in nowise underrated the severity of the political contest in which he was about to engage. He knew his opponent's strong points as well as his weak ones — his energy, his adroitness, the blind devotion of his followers, his greater political fame. "Senator Douglas is of world-wide renown," he said. "All the anxious politicians of his party, or who have been of his party for years past, have been looking upon him as certainly at no distant

CHAP. VIII. day to be the President of the United States. They have seen in his round, jolly, fruitful face post-offices, land-offices, marshalships, and cabinet appointments, chargé-ships and foreign missions, bursting and sprouting out in wonderful exuberance ready to be laid hold of by their greedy hands. And as they have been gazing upon this attractive picture so long, they cannot, in the little distraction that has taken place in the party, bring themselves to give up the charming hope; but with greedier anxiety they rush about him, sustain him, and give him marches, triumphal entries, and receptions, beyond what even in the days of his highest prosperity they could have brought about in his favor. On the contrary, nobody has ever expected me to be President. In my poor, lean, lank face, nobody has ever seen that any cabbages were sprouting out. These are disadvantages all taken together, that the Republicans labor under. We have to fight this battle upon principle, and principle alone."

Lincoln, Springfield Speech, July 17, 1858. Debates, p. 55.

Douglas and his friends had indeed entered upon the canvass with an unusual flourish of trumpets. Music, banners, salutes, fireworks, addresses, ovation, and jubilation with enthusiasm genuine and simulated, came and went in almost uninterrupted sequence; so much of the noise and pomp of electioneering had not been seen since the famous hard-cider campaign of Harrison. The "Little Giant," as he was proudly nicknamed by his adherents, arrived in Illinois near midsummer, after elaborate preparation and heralding, and made speeches successively at Chicago, Bloomington, and Springfield on the 9th, 16th, and 17th of July. The

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ANSON BURLINGAME.

Republicans and their candidate were equally alert to contest every inch of ground. Mr. Lincoln made speeches in reply at Chicago on the 10th and at Springfield on the evening of Douglas's day address; and in both instances with such force and success as portended a fluctuating and long-continued struggle. CHAP. VIII.

For the moment the presence of Douglas not only gave spirit and fresh industry to his followers, but the novelty impressed the indifferent and the wavering. The rush of the campaign was substituting excitement for inquiry, blare of brass bands and smoke of gunpowder for intelligent criticism. The fame and prestige of the "Little Giant" was beginning to incline the vibrating scale. Lincoln and his intimate political advisers were not slow to note the signs of danger; and the remedy devised threw upon him the burden of a new responsibility. It was decided in the councils of the Republican leaders that Lincoln should challenge Douglas to joint public debate.

The challenge was sent by Lincoln on July 24; Douglas proposed that they should meet at the towns of Ottawa, Freeport, Jonesboro, Charleston, Galesburg, Quincy, and Alton, each speaker alternately to open and close the discussion; Douglas to speak one hour at Ottawa, Lincoln to reply for an hour and a half, and Douglas to make a half hour's rejoinder. In like manner Lincoln should open and close at Freeport, and so on alternately. Lincoln's note of July 31 accepted the proposal as made. "Although by the terms," he wrote, "as you propose, you take four openings and closes to my three, I accede and thus close the

CHAP. VIII. arrangement." Meanwhile each of the speakers made independent appointments for other days and places than these seven; and in the heat and dust of midsummer traveled and addressed the people for a period of about one hundred days, frequently making the necessary journeys by night, and often speaking two and sometimes even three times in a single day. Thus to the combat of intellectual skill was added a severe ordeal of physical endurance.[1]

Lincoln entered upon the task which his party friends had devised with neither bravado nor misgiving. He had not sought these public discussions; neither did he shrink from them. Throughout his whole life he appears to have been singularly correct in his estimate of difficulties to be encountered and of his own powers for overcoming them. Each of these seven meetings, comprising both the Republican and Democratic voters of the neighboring counties, formed a vast, eager, and attentive assemblage. It needed only the first day's experience to show the wisdom of the Republican leaders in forcing a joint discussion upon Douglas. Face to face with his competitor, he could no longer successfully assume airs of superiority, or wrap himself in his Senatorial dignity and prestige. They were equal spokesmen, of equal parties, on an equal platform, while applause and encouragement on one side balanced applause and encouragement on the other.

In a merely forensic sense, it was indeed a battle

[1] "Last year in the Illinois canvass I made just 130 speeches." — [Douglas, Wooster (O.) Speech.] This was between July 9 and November 2, 1858, just 100 days, exclusive of Sundays.

of giants. In the whole field of American politics no man has equaled Douglas in the expedients and strategy of debate. Lacking originality and constructive logic, he had great facility in appropriating by ingenious restatement the thoughts and formulas of others. He was tireless, ubiquitous, unseizable. It would have been as easy to hold a globule of mercury under the finger's tip as to fasten him to a point he desired to evade. He could almost invert a proposition by a plausible paraphrase. He delighted in enlarging an opponent's assertion to a forced inference ridiculous in form and monstrous in dimensions. In spirit he was alert, combative, aggressive; in manner, patronizing and arrogant by turns.

Lincoln's mental equipment was of an entirely different order. His principal weapon was direct, unswerving logic. His fairness of statement and generosity of admission had long been proverbial. For these intellectual duels with Douglas, he possessed a power of analysis that easily outran and circumvented the "Little Giant's" most extraordinary gymnastics of argument. But, disdaining mere quibbles, he pursued lines of concise reasoning to maxims of constitutional law and political morals. Douglas was always forcible in statement and bold in assertion; but Lincoln was his superior in quaint originality, aptness of phrase, and subtlety of definition; and oftentimes Lincoln's philosophic vision and poetical fervor raised him to flights of eloquence which were not possible to the fiber and temper of his opponent.

It is, of course, out of the question to abridge the various Lincoln-Douglas discussions of which the

CHAP. VIII. text fills a good-sized volume. Only a few points of controversy may be stated. Lincoln's convention speech, it will be remembered, declared that in his belief the Union could not endure permanently half slave and half free, but must become all one thing or all the other. Douglas in his first speech of the campaign attacked this as an invitation to a war of sections, declaring that uniformity would lead to consolidation and despotism. He charged the Republicans with intent to abolish slavery in the States; said their opposition to the Dred Scott decision was a desire for negro equality and amalgamation; and prescribed his dogma of popular sovereignty as a panacea for all the ills growing out of the slavery agitation.

To this Lincoln replied that Republicans did not aim at abolition in the slave States, but only the exclusion of slavery from free Territories; they did not oppose the Dred Scott decision in so far as it concerned the freedom of Dred Scott, but they refused to accept its dicta as rules of political action. He repelled the accusation that the Republicans desired negro equality or amalgamation, saying: "There is a physical difference between the two, which, in my judgment, will probably forever forbid their living together upon the footing of perfect equality; and inasmuch as it becomes a necessity that there must be a difference, I, as well as Judge Douglas, am in favor of the race to which I belong having the superior position. I have never said anything to the contrary, but I hold that notwithstanding all this there is no reason in the world why the negro is not entitled to all the natural rights enumerated in the Declaration of Independ-

ence — the right to life, liberty, and the pursuit of happiness. I hold that he is as much entitled to these as the white man. I agree with Judge Douglas he is not my equal in many respects — certainly not in color, perhaps not in moral or intellectual endowment; but in the right to eat the bread without the leave of anybody else, which his own hand earns, he is my equal, and the equal of Judge Douglas and the equal of every living man."

Lincoln-Douglas Debates, p. 75.

In return he pressed upon Douglas his charge of a political conspiracy to nationalize slavery, alleging that his "don't care" policy was but the convenient stalking-horse under cover of which a new Dred Scott decision would make slavery lawful everywhere.

It is merely for the Supreme Court to decide that no State under the Constitution can exclude it, just as they have already decided that under the Constitution neither Congress nor the Territorial Legislature can do it. When that is decided and acquiesced in, the whole thing is done. This being true, and this being the way, as I think, that slavery is to be made national, let us consider what Judge Douglas is doing every day to that end. In the first place, let us see what influence he is exerting on public sentiment. In this and like communities public sentiment is everything. With public sentiment, nothing can fail; without it nothing can succeed. Consequently, he who molds public sentiment goes deeper than he who enacts statutes or pronounces decisions. He makes statutes and decisions possible or impossible to be executed.

Ibid., p. 82.

The Democratic policy in regard to that institution will not tolerate the merest breath, the slightest hint, of the least degree of wrong about it. Try it by some of Judge Douglas's arguments. He says he "don't care whether it is voted up or voted down" in the Territories. I do not care myself, in dealing with that expression, whether it is intended to be expressive of his individual sentiments on the subject, or only of the national policy he desires to

CHAP. VIII. have established. It is alike valuable for my purpose. Any man can say that who does not see anything wrong in slavery, but no man can logically say it who does see a wrong in it; because no man can logically say he don't care whether a wrong is voted up or voted down. He may say he don't care whether an indifferent thing is voted up or down, but he must logically have a choice between a right thing and a wrong thing. He contends that whatever community wants slaves has a right to have them. So they have, if it is not a wrong. But if it is a wrong, he cannot say people have a right to do wrong. He says that upon the score of equality slaves should be allowed to go into a new Territory, like other property. This is strictly logical if there is no difference between it and other property. If it and other property are equal, his argument is entirely logical. But if you insist that one is wrong and the other right, there is no use to institute a comparison between right and wrong. You may turn over everything in the Democratic policy from beginning to end, whether in the shape it takes on the statute book, in the shape it takes in the Dred Scott decision, in the shape it takes in conversation, or the shape it takes in short maxim-like arguments — it everywhere carefully excludes the idea that there is anything wrong in it.

That is the real issue. That is the issue that will continue in this country when these poor tongues of Judge Douglas and myself shall be silent. It is the eternal struggle between these two principles — right and wrong — throughout the world. They are the two principles that have stood face to face from the beginning of time; and will ever continue to struggle. The one is the common right of humanity and the other the divine right of kings. It is the same principle, in whatever shape it develops itself. It is the same spirit that says, "You work and toil and earn bread, and I'll eat it." No matter in what shape it comes, whether from the mouth of a king who seeks to bestride the people of his own nation and live by the fruit of their labor, or from one race of men as an apology for enslaving another race, it is the same tyrannical principle.

Lincoln-Douglas Debates, pp. 233–4.

As to the vaunted popular sovereignty principle,

Lincoln declared it "the most arrant Quixotism that was ever enacted before a community. . . Does he mean to say that he has been devoting his life to securing to the people of the Territories the right to exclude slavery from the Territories? If he means so to say, he means to deceive; because he and every one knows that the decision of the Supreme Court, which he approves and makes especial ground of attack upon me for disapproving, forbids the people of a Territory to exclude slavery. This covers the whole ground from the settlement of a Territory till it reaches the degree of maturity entitling it to form a State constitution. So far as all that ground is concerned, the Judge is not sustaining popular sovereignty, but absolutely opposing it. He sustains the decision which declares that the popular will of the Territories has no constitutional power to exclude slavery during their territorial existence."

Lincoln-Douglas Debates, p. 56.

By no means the least interesting of the many points touched in these debates is Lincoln's own estimate of the probable duration of slavery, or rather of the least possible period in which "ultimate extinction" could be effected, even under the most favorable circumstances.

Now, at this day in the history of the world [said he, in the Charleston debate], we can no more foretell where the end of this slavery agitation will be than we can see the end of the world itself. The Nebraska-Kansas bill was introduced four years and a half ago, and if the agitation is ever to come to an end, we may say we are four years and a half nearer the end. So too we can say we are four years and a half nearer the end of the world; and we can just as clearly see the end of the world as we can see the end of this agitation. The Kansas settle-

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ment did not conclude it. If Kansas should sink to-day, and leave a great vacant space in the earth's surface, this vexed question would still be among us. I say then there is no way of putting an end to the slavery agitation amongst us, but to put it back upon the basis where our fathers placed it, no way but to keep it out of our new Territories — to restrict it forever to the old States where it now exists. Then the public mind will rest in the belief that it is in the course of ultimate extinction. That is one way of putting an end to the slavery agitation.

The other way is for us to surrender and let Judge Douglas and his friends have their way and plant slavery over all the States; cease speaking of it as in any way a wrong; regard slavery as one of the common matters of property and speak of negroes as we do of our horses and cattle. But while it drives on in its state of progress as it is now driving, and as it has driven for the last five years, I have ventured the opinion, and I say to-day that we will have no end to the slavery agitation until it takes one turn or the other. I do not mean to say that when it takes a turn towards ultimate extinction it will be in a day, nor in a year, nor in two years. I do not suppose that in the most peaceful way ultimate extinction would occur in less than a hundred years at least; but that it will occur in the best way for both races, in God's own good time, I have no doubt.

Lincoln-Douglas Debates, p. 157.

But the one dominating characteristic of Lincoln's speeches is their constant recurrence to broad and enduring principles, their unremitting effort to lead public opinion to loftier and nobler conceptions of political duty; and nothing in his career stamps him so distinctively an American as his constant eulogy and defense of the philosophical precepts of the Declaration of Independence. The following is one of his indictments of his political opponents on this point:

At Galesburg the other day, I said, in answer to Judge Douglas, that three years ago there never had been a

man, so far as I knew or believed, in the whole world, who had said that the Declaration of Independence did not include negroes in the term "all men." I re-assert it to-day. I assert that Judge Douglas and all his friends may search the whole records of the country, and it will be a matter of great astonishment to me if they shall be able to find that one human being three years ago had ever uttered the astounding sentiment that the term "all men" in the Declaration did not include the negro. Do not let me be misunderstood. I know that more than three years ago there were men who, finding this assertion constantly in the way of their schemes to bring about the ascendency and perpetuation of slavery, denied the truth of it. I know that Mr. Calhoun and all the politicians of his school denied the truth of the Declaration. I know that it ran along in the mouth of some Southern men for a period of years, ending at last in that shameful though rather forcible declaration of Pettit, of Indiana, upon the floor of the United States Senate, that the Declaration of Independence was in that respect "a self-evident lie" rather than a self-evident truth. But I say, with a perfect knowledge of all this hawking at the Declaration without directly attacking it, that three years ago there never had lived a man who had ventured to assail it in the sneaking way of pretending to believe it and then asserting it did not include the negro. I believe the first man who ever said it was Chief-Justice Taney in the Dred Scott case, and the next to him was our friend, Stephen A. Douglas. And now it has become the catch-word of the entire party. I would like to call upon his friends everywhere to consider how they have come in so short a time to view this matter in a way so entirely different from their former belief; to ask whether they are not being borne along by an irresistible current, whither they know not?

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Lincoln-Douglas Debates, p. 225.

In the joint debates, however, argument and oratory were both hampered by the inexorable limit of time. For the full development of his thought, the speeches Lincoln made separately at other places afforded him a freer opportunity. A

CHAP. VIII. quotation from his language on one of these occasions is therefore here added, as a better illustration of his style and logic, where his sublime theme carried him into one of his more impassioned moods:

> The Declaration of Independence was formed by the representatives of American liberty from thirteen States of the Confederacy, twelve of which were slave-holding communities. We need not discuss the way or the reason of their becoming slave-holding communities. It is sufficient for our purpose that all of them greatly deplored the evil and that they placed a provision in the Constitution which they supposed would gradually remove the disease by cutting off its source. This was the abolition of the slave trade. So general was the conviction, the public determination, to abolish the African slave trade, that the provision which I have referred to as being placed in the Constitution declared that it should not be abolished prior to the year 1808. A constitutional provision was necessary to prevent the people, through Congress, from putting a stop to the traffic immediately at the close of the war. Now if slavery had been a good thing, would the fathers of the republic have taken a step calculated to diminish its beneficent influences among themselves, and snatch the boon wholly from their posterity? These communities, by their representatives in old Independence Hall, said to the whole world of men: "We hold these truths to be self-evident: that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness." This was their majestic interpretation of the economy of the Universe. This was their lofty, and wise, and noble understanding of the justice of the Creator to his creatures. Yes, gentlemen, to all his creatures, to the whole great family of man. In their enlightened belief, nothing stamped with the Divine image and likeness was sent into the world to be trodden on and degraded, and imbruted by its fellows. They grasped not only the whole race of man then living, but they reached forward and seized upon

the farthest posterity. They erected a beacon to guide their children, and their children's children, and the countless myriads who should inhabit the earth in other ages. Wise statesmen as they were, they knew the tendency of prosperity to breed tyrants, and so they established these great self-evident truths, that when in the distant future some man, some faction, some interest, should set up the doctrine that none but rich men, or none but white men, or none but Anglo-Saxon white men, were entitled to life, liberty, and the pursuit of happiness, their posterity might look up again to the Declaration of Independence and take courage to renew the battle which their fathers began, so that truth and justice and mercy and all the humane and Christian virtues might not be extinguished from the land; so that no man would hereafter dare to limit and circumscribe the great principles on which the temple of liberty was being built.

Now, my countrymen, if you have been taught doctrines conflicting with the great landmarks of the Declaration of Independence; if you have listened to suggestions which would take away from its grandeur and mutilate the fair symmetry of its proportions; if you have been inclined to believe that all men are not created equal in those inalienable rights enumerated by our chart of liberty, let me entreat you to come back. Return to the fountain whose waters spring close by the blood of the revolution. Think nothing of me — take no thought for the political fate of any man whomsoever — but come back to the truths that are in the Declaration of Independence. You may do anything with me you choose, if you will but heed these sacred principles. You may not only defeat me for the Senate, but you may take me and put me to death. While pretending no indifference to earthly honors, I do claim to be actuated in this contest by something higher than an anxiety for office. I charge you to drop every paltry and insignificant thought for any man's success. It is nothing; I am nothing; Judge Douglas is nothing. But do not destroy that immortal emblem of Humanity — the Declaration of American Independence.[1]

[1] Lincoln's Lewiston Speech, August 17, 1858. Chicago "Press and Tribune."

CHAPTER IX

THE FREEPORT DOCTRINE

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WHAT has thus far been quoted has been less to illustrate the leading lines of discussion, than to explain more fully the main historical incident of the debates. In the first joint discussion at Ottawa, in the northern or antislavery part of Illinois, Douglas read a series of strong antislavery resolutions which he erroneously alleged Lincoln had taken part in framing and passing. He said: "My object in reading these resolutions was to put the question to Abraham Lincoln this day whether he now stands and will stand by each article in that creed and carry it out. . . I ask Abraham Lincoln to answer these questions in order that when I trot him down to lower Egypt[1] I may put the same questions to him."[2]

Lincoln-Douglas Debates, p. 68.

[1] A local nickname by which the southern or pro-slavery portion of Illinois was familiarly known.

[2] DOUGLAS'S QUESTIONS AND LINCOLN'S ANSWERS.

"*Question* 1. 'I desire to know whether Lincoln to-day stands, as he did in 1854, in favor of the unconditional repeal of the fugitive-slave law?'

Answer. I do not now, nor ever did, stand in favor of the unconditional repeal of the fugitive-slave law.

Q. 2. 'I desire him to answer whether he stands pledged to-day, as he did in 1854, against the admission of any more slave States into the Union even if the people want them?'

A. I do not now, nor ever did, stand pledged against the admission of any more slave States into the Union.

Q. 3. 'I want to know whether he stands pledged against the

In preparing a powerful appeal to local prejudice, Douglas doubtless knew he was handling a two-edged sword; but we shall see that he little appreciated the skill with which his antagonist would wield the weapon he was placing in his hands. At their second joint meeting, at Freeport, also in northern Illinois, Lincoln, who now had the opening speech, said, referring to Douglas's speech at Ottawa: "I do him no injustice in saying that he occupied at least half of his reply in dealing with me as though I had refused to answer his interrogatories. I now propose that I will answer any of the interrogatories, upon condition that he will answer questions from me not exceeding the same number. I give him an opportunity to respond. The judge remains silent. I now say that I will answer his interrogatories, whether he answers

admission of a new State into the Union with such a constitution as the people of that State may see fit to make?'

A. I do not stand pledged against the admission of a new State into the Union with such a constitution as the people of that State may see fit to make.

Q. 4. 'I want to know whether he stands to-day pledged to the abolition of slavery in the District of Columbia?'

A. I do not stand to-day pledged to the abolition of slavery in the District of Columbia.

Q. 5. 'I desire him to answer whether he stands pledged to the prohibition of the slave trade between the different States?'

A. I do not stand pledged to the prohibition of the slave trade between the different States.

Q. 6. 'I desire to know whether he stands pledged to prohibit slavery in all the Territories of the United States, north as well as south of the Missouri Compromise line?'

A. I am impliedly if not expressly pledged to a belief in the right and duty of Congress to prohibit slavery in all the United States Territories.

Q. 7. 'I desire him to answer whether he is opposed to the acquisition of any new territory unless slavery is first prohibited therein?'

A. I am not generally opposed to honest acquisition of territory; and, in any given case, I would or would not oppose such acquisition accordingly as I might think such acquisition would or would not aggravate the slavery question among ourselves." — Lincoln-Douglas Debates, p. 88.

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Lincoln-Douglas Debates, p. 87.

mine or not; and that after I have done so, I shall propound mine to him."

Lincoln then read his answers to the seven questions which had been asked him, and proposed four in return, the second one of which ran as follows: "Can the people of a United States Territory, in any lawful way, against the wish of any citizen of the United States, exclude slavery from its limits, prior to the formation of a State constitution?"[1]

To comprehend the full force of this interrogatory, the reader must recall the fact that the "popular sovereignty" of the Nebraska bill was couched in vague language, and qualified with the proviso that it was "subject to the Constitution." The caucus which framed this phraseology agreed, as a compromise between Northern and Southern Democrats, that the courts should interpret and define the constitutional limitations, by which all should abide. The Dred Scott decision declared in terms that Congress could not prohibit slavery in Territories nor authorize a Territorial Legislature to do so. The Dred Scott decision had thus annihilated "popular sovereignty." Would Doug-

[1] LINCOLN'S QUESTIONS.

"*Question* 1. If the people of Kansas shall, by means entirely unobjectionable in all other respects, adopt a State constitution, and ask admission into the Union under it, before they have the requisite number of inhabitants according to the English bill,— some 93,000,— will you vote to admit them?

Q. 2. Can the people of a United States Territory, in any lawful way, against the wish of any citizen of the United States, exclude slavery from its limits, prior to the formation of a State constitution?

Q. 3. If the Supreme Court of the United States shall decide that States cannot exclude slavery from their limits, are you in favor of acquiescing in, adopting, and following such decision as a rule of political action?

Q. 4. Are you in favor of acquiring additional territory, in disregard of how such acquisition may affect the nation on the slavery question?" — Lincoln-Douglas Debates, p. 90.

las admit his blunder in law, and his error in statesmanship? CHAP. IX.

He had already faced and partly evaded this dilemma in his Springfield speech of 1857, but that was a local declaration and occurred before his Lecompton revolt, and the ingenious sophism then put forth had attracted little notice. Since that time things had materially changed. He had opposed Lecompton, become a party recusant, and been declared a party apostate. His Senatorial term was closing, and he had to look to an evenly balanced if not a hostile constituency for reëlection. The Buchanan Administration was putting forth what feeble strength it had in Illinois to insure his defeat. His Democratic rivals were scrutinizing every word he uttered. He stood before the people to whom he had pledged his word that the voters of Kansas might regulate their own domestic concerns. They would tolerate no juggling nor evasion. There remained no resource but to answer *Yes*, and he could conjure up no justification of such an answer except the hollow subterfuge he had invented the year before.

Lincoln clearly enough comprehended the dilemma and predicted the expedient of his antagonist. He had framed his questions and submitted them to a consultation of shrewd party friends. This one especially was the subject of anxious deliberation and serious disagreement. Nearly a month before, Lincoln in a private letter accurately foreshadowed Douglas's course on this question. "You shall have hard work to get him directly to the point whether a Territorial Legislature has or has not the power to exclude slavery. But if you

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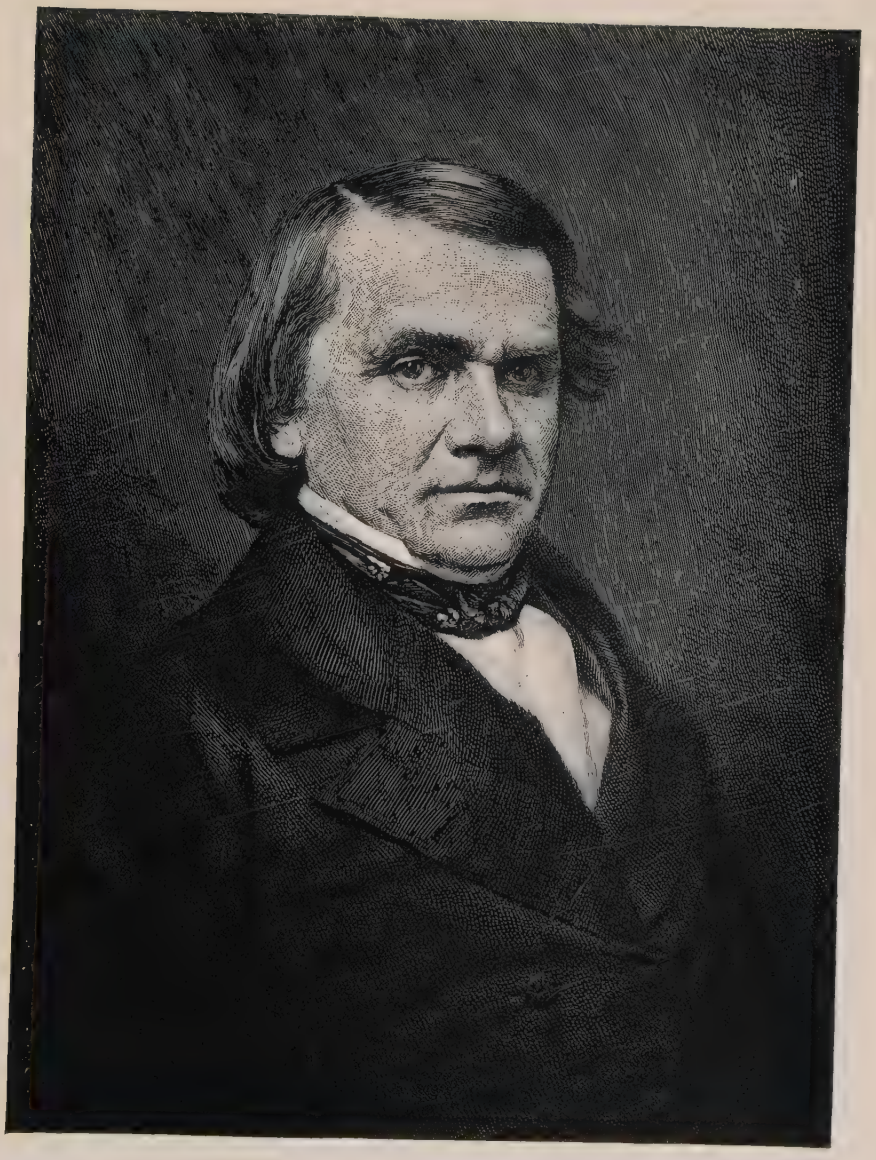
succeed in bringing him to it — though he will be compelled to say it possesses no such power — he will instantly take ground that slavery cannot actually exist in the Territories unless the people desire it, and so give it protection by Territorial legislation. If this offends the South, he will let it offend them, as at all events he means to hold on to his chances in Illinois." There is a tradition that on the night preceding this Freeport debate Lincoln was catching a few hours' rest, at a railroad center named Mendota, to which place the converging trains brought after midnight a number of excited Republican leaders, on their way to attend the great meeting at the neighboring town of Freeport. Notwithstanding the late hour, Mr. Lincoln's bedroom was invaded by an improvised caucus, and the ominous question was once more brought under consideration. The whole drift of advice ran against putting the interrogatory to Douglas; but Lincoln persisted in his determination to force him to answer it. Finally his friends in a chorus cried out, "If you do, you can never be Senator." "Gentlemen," replied Lincoln, "I am killing larger game; if Douglas answers, he can never be President, and the battle of 1860 is worth a hundred of this."

Lincoln to Asbury, July 31, 1858.

When Lincoln had finished his opening speech in the Freeport debate, and Douglas in his reply came to interrogatory number two, which Lincoln had propounded, he answered as follows:

> The next question propounded to me by Mr. Lincoln is, Can the people of a Territory in any lawful way, against the wish of any citizen of the United States, exclude slavery from their limits, prior to the formation



STEPHEN A. DOUGLAS.

of a State constitution? I answer emphatically, as Mr. Lincoln has heard me answer a hundred times from every stump in Illinois, that in my opinion the people of a Territory can, by lawful means, exclude slavery from their limits, prior to the formation of a State constitution. Mr. Lincoln knew that I had answered that question over and over again. He heard me argue the Nebraska bill on that principle all over the State in 1854, in 1855, and in 1856, and he has no excuse for pretending to be in doubt as to my position on that question. It matters not what way the Supreme Court may hereafter decide as to the abstract question whether slavery may or may not go into a Territory under the Constitution, the people have the lawful means to introduce it or exclude it, as they please, for the reason that slavery cannot exist a day or an hour anywhere, unless it is supported by local police regulations. Those police regulations can only be established by the local Legislature, and if the people are opposed to slavery they will elect representatives to that body who will by unfriendly legislation effectually prevent the introduction of it into their midst. If, on the contrary, they are for it, their legislation will favor its extension. Hence, no matter what the decision of the Supreme Court may be on that abstract question, still the right of the people to make a slave Territory or a free Territory is perfect and complete under the Nebraska bill. I hope Mr. Lincoln deems my answer satisfactory on that point.

Lincoln-Douglas Debates, p. 95.

The remarkable theory here proposed was immediately taken up and exhaustively discussed by the leading newspapers in all parts of the Union, and thereby became definitely known under the terms "unfriendly legislation" and "Freeport doctrine." Mr. Lincoln effectually disposed of it in the following fashion in the joint debate at Alton:

I understand I have ten minutes yet. I will employ it in saying something about this argument Judge Douglas uses, while he sustains the Dred Scott decision, that the people of the Territories can still somehow exclude slavery.

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> The first thing I ask attention to is the fact that Judge Douglas constantly said, before the decision, that whether they could or not, was a question for the Supreme Court. But after the court has made the decision he virtually says it is not a question for the Supreme Court, but for the people. And how is it he tells us they can exclude it? He said it needs "police regulations," and that admits of "unfriendly legislation." Although it is a right established by the Constitution of the United States to take a slave into a Territory of the United States and hold him as property, yet unless the Territorial Legislature will give friendly legislation, and, more especially, if they adopt unfriendly legislation, they can practically exclude him. Now, without meeting this proposition as a matter of fact, I pass to consider the real constitutional obligation. Let me take the gentleman who looks me in the face before me, and let us suppose that he is a member of the Territorial Legislature. The first thing he will do will be to swear that he will support the Constitution of the United States. His neighbor by his side in the Territory has slaves and needs Territorial legislation to enable him to enjoy that constitutional right. Can he withhold the legislation which his neighbor needs for the enjoyment of a right which is fixed in his favor in the Constitution of the United States, which he has sworn to support? Can he withhold it without violating his oath? and more especially, can he pass unfriendly legislation to violate his oath? Why this is a monstrous sort of talk about the Constitution of the United States! There has never been as outlandish or lawless a doctrine from the mouth of any respectable man on earth. I do not believe it is a constitutional right to hold slaves in a Territory of the United States. I believe the decision was improperly made, and I go for reversing it. Judge Douglas is furious against those who go for reversing a decision. But he is for legislating it out of all force, while the law itself stands. I repeat that there has never been so monstrous a doctrine uttered from the mouth of a respectable man.

Lincoln-Douglas Debates, pp. 234-5.

The announcement and subsequent defense by Douglas of his "Freeport doctrine" proved, as Lin-

coln had predicted, something more important than a mere campaign incident. It was the turning-point in Douglas's political fortunes. With the whole South, and with a few prominent politicians of the North, it served to put him outside the pale of party fellowship. Compared with this his Lecompton revolt had been a venial offense. In that case he had merely contended for the machinery of a fair popular vote. This was the avowal of a principle as obnoxious to the slavery propaganda as the unqualified abolitionism of Giddings and Lovejoy. Henceforth all hope of reconciliation, atonement, or chance of Presidential nomination by the united Democratic party was out of the question. Before this, newspaper zealots had indeed denounced him for his Lecompton recusancy as a traitor and renegade, and the Administration had endeavored to secure his defeat; now, however, in addition, the party high-priests put him under solemn ban of excommunication. How they felt and from what motives they acted is stated with singular force and frankness in a Senate speech, soon after the Charleston Convention, by Senator Judah P. Benjamin, of Louisiana, one of the ablest and most persistent of the conspirators to nationalize slavery, and who, not long after, was one of the principal actors in the great rebellion: CHAP. IX.

> Up to the years 1857 and 1858 no man in this nation had a higher or more exalted opinion of the character, the services, and the political integrity of the Senator from Illinois [Douglas] than I had. . . Sir, it has been with reluctance and sorrow that I have been obliged to pluck down my idol from his place on high, and to refuse to him any more support or confidence as a member of

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the party. I have done so, I trust, upon no light or unworthy ground. I have not done so alone. The causes that have operated on me have operated on the Democratic party of the United States, and have operated an effect which the whole future life of the Senator will be utterly unable to obliterate. It is impossible that confidence thus lost can be restored. On what ground has that confidence been forfeited, and why is it that we now refuse him our support and fellowship? I have stated our reasons to-day. I have appealed to the record. I have not followed him back in the false issue or the feigned traverse that he makes in relation to matters that are not now in contest between him and the Democratic party. The question is not what we all said or believed in 1850 or in 1856. How idle was it to search ancient precedents and accumulate old quotations from what Senators may have at different times said in relation to their principles and views. The precise point, the direct arraignment, the plain and explicit allegation made against the Senator from Illinois is not touched by him in all of his speech.

We accuse him for this, to wit: that having bargained with us upon a point upon which we were at issue, that it should be considered a judicial point; that he would abide the decision; that he would act under the decision, and consider it a doctrine of the party; that having said that to us here in the Senate, he went home, and under the stress of a local election, his knees gave way; his whole person trembled. His adversary stood upon principle and was beaten; and lo! he is the candidate of a mighty party for the Presidency of the United States. The Senator from Illinois faltered. He got the prize for which he faltered; but lo! the grand prize of his ambition to-day slips from his grasp because of his faltering in his former contest, and his success in the canvass for the Senate, purchased for an ignoble price, has cost him the loss of the Presidency of the United States.

Benjamin, Senate Speech, May 22, 1860. Pamphlet.

1858.

The Senatorial canvass in Illinois came to a close with the election on the 2d of November and resulted in a victory for Douglas. The Repub-

licans, on their State ticket, polled 125,430 votes; the Douglas Democrats, 121,609; the Buchanan Democrats, 5071. By this plurality the Republican State officers were chosen. But in respect to members of the Legislature the case stood differently, and when in the following January the Senatorial election took place in joint session of the two Houses, Douglas received the vote of every Democrat, 54 members, and Lincoln the vote of every Republican, 46 members, whereupon Douglas was declared elected Senator of the United States for six years from the 4th of March, 1859. CHAP. IX.

The main cause of Lincoln's defeat was the unfairness of the existing apportionment, which was based upon the census of 1850. A fair apportionment, based on the changes of population which had occurred, would have given northern Illinois a larger representation; and it was there the Republicans had recruited their principal strength in the recent transformation of parties. The Republicans estimated that this circumstance caused them a loss of six to ten members.

But the unusual political combinations also had a large influence on the result. Lincoln, in an Ohio speech made in the following year, addressing himself to Kentuckians, thus summarized the political forces that contributed to his defeat: "Douglas had three or four very distinguished men of the most extreme antislavery views of any men in the Republican party expressing their desire for his reëlection to the Senate last year. That would of itself have seemed to be a little wonderful, but that wonder is heightened when we see that Wise, of Virginia, a man exactly opposed

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to them, a man who believes in the divine right of slavery, was also expressing his desire that Douglas should be reëlected; that another man that may be said to be kindred to Wise, Mr. Breckinridge, the Vice-President, and of your own State, was also agreeing with the antislavery men in the North, that Douglas ought to be reëlected. Still to heighten the wonder, a Senator from Kentucky, whom I have always loved with an affection as tender and endearing as I have ever loved any man, who was opposed to the antislavery men for reasons which seemed sufficient to him and equally opposed to Wise and Breckinridge, was writing letters to Illinois to secure the reëlection of Douglas. Now that all these conflicting elements should be brought, while at daggers' points with one another, to support him, is a feat that is worthy for you to note and consider. It is quite probable that each of these classes of men thought, by the reëlection of Douglas, their peculiar views would gain something; it is probable that the antislavery men thought their views would gain something; that Wise and Breckinridge thought so too, as regards their opinions; that Mr. Crittenden thought that his views would gain something although he was opposed to both these other men. It is probable that each and all of them thought they were using Douglas, and it is yet an unsolved problem whether he was not using them all."

Lincoln, Cincinnati Speech, Sept. 17, 1859. Debates, p. 263.

After a hundred consecutive days of excitement, of intense mental strain, and of unremitting bodily exertion, after speech-making and parades, music and bonfires, it must be something of a trial to face at once the mortification of defeat, the weari-

ness of intellectual and physical reaction, and the dull commonplace of daily routine. Letters written at this period show that under these conditions Mr. Lincoln remained composed, patient, and hopeful. Two weeks after election he wrote thus to Mr. Judd, a member of the Legislature and Chairman of the Republican State Central Committee: "I have the pleasure to inform you that I am convalescing and hoping these lines may find you in the same improving state of health. Doubtless you have suspected for some time that I entertain a personal wish for a term in the United States Senate; and had the suspicion taken the shape of the direct charge I think I could not have truthfully denied it. But let the past as nothing be. For the future my view is that the fight must go on. The returns here are not yet complete, but it is believed that Dougherty's vote will be slightly greater than Miller's majority over Fondey. We have some 120,000 clear Republican votes. That pile is worth keeping together. It will elect a State ticket two years hence.

"In that day I shall fight in the ranks, but shall be in no one's way for any of the places. I am especially for Trumbull's reëlection; and, by the way, this brings me to the principal object of this letter. Can you not take your draft of an apportionment bill and carefully revise it till it shall be strictly and obviously just in all particulars, and then by an early and persistent effort get enough of the enemies' men to enable you to pass it? I believe if you and Peck make a job of it, begin early and work earnestly and quietly, you can succeed in it. Unless something be done, Trumbull is

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inevitably beaten two years hence. Take this into serious consideration."

Lincoln to Judd, Nov. 15, 1858.

On the following day he received from Mr. Judd a letter informing him that the funds subscribed for the State Central Committee did not suffice to pay all the election bills, and asking his help to raise additional contributions. To this appeal Lincoln replied: "Yours of the 15th is just received. I wrote you the same day. As to the pecuniary matter, I am willing to pay according to my ability, but I am the poorest hand living to get others to pay. I have been on expenses so long without earning anything that I am absolutely without money now for even household purposes. Still, if you can put in $250 for me towards discharging the debt of the committee, I will allow it when you and I settle the private matter between us. This, with what I have already paid, and with an outstanding note of mine, will exceed my subscription of $500. This, too, is exclusive of my ordinary expenses during the campaign, all which being added to my loss of time and business, bears pretty heavily upon one no better off in world's goods than I; but as I had the post of honor, it is not for me to be over-nice. You are feeling badly — 'And this too shall pass away.' Never fear."

Ibid., Nov. 16, 1858.

The sting of personal defeat is painful to most men, and doubtless it was so to Lincoln. Yet he regarded the passing struggle as something more than a mere scramble for office, and drew from it the consolation which all earnest workers feel in the consciousness of a task well done. Thus he wrote to a friend on November 19: "You doubtless have seen ere this the result of the election

here. Of course I wished, but I did not much expect, a better result. . . I am glad I made the late race. It gave me a hearing on the great and durable question of the age, which I could have had in no other way; and though I now sink out of view, and shall be forgotten, I believe I have made some marks which will tell for the cause of civil liberty long after I am gone."

Lincoln to Dr. Henry, Nov. 19, 1858. MS.

To these one other letter may be added, showing his never-failing faith in the political future. To a personal friend in Quincy, Illinois, who had watched the campaign with unusual attention, Lincoln wrote that same day: "Yours of the 13th was received some days ago. The fight must go on. The cause of civil liberty must not be surrendered at the end of one or even one hundred defeats. Douglas had the ingenuity to be supported in the late contest, both as the best means to break down and to uphold the slave interest. No ingenuity can keep these antagonistic elements in harmony long. Another explosion will soon come."

Lincoln to Asbury, November 19, 1858.

Douglas was also greatly exhausted by the wearing labors of the campaign; but he had the notable triumph of an assured reëlection to the Senate and the congratulations of his enthusiastic friends to sustain and refresh him. Being an indefatigable worker, he was already organizing a new and more ambitious effort. Three weeks after election he started on a brief tour to the Southern States, making speeches at Memphis and New Orleans, of which further mention will be made in the next chapter. Perhaps he deemed it wise not to proceed immediately to Washington, where Congress con-

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vened on the first Monday of December, and thus to avoid a direct continuance of his battle with the Buchanan Administration. If so, the device proved ineffectual. The President and his partisans were determined to put the author of the "Freeport doctrine" under public ban, and to that end, when Congress organized, one of the first acts of the Senate majority was to depose Douglas from his place as chairman of the Committee on Territories, which he had held in that body for eleven years.

CHAPTER X

LINCOLN'S OHIO SPEECHES

WHEN Lincoln, in opening the Senatorial campaign of Illinois, declared that the Republican cause must be intrusted to its own undoubted friends "who do care for the result," he displayed a much better understanding of the character and aims of his opponent than those who, not so well informed, desired the adoption of a different course. Had the wishes of Greeley and others prevailed, had Douglas been adopted by the Illinois Republicans, the party would have found itself in a fatal dilemma. No sooner was the campaign closed than Douglas, having entered on his tour through the South, began making speeches, apparently designed to pave his way to a nomination for President by the next Democratic National Convention. Realizing that he had lost ground by his anti-Lecomptonism, and especially by his Freeport doctrine, and having felt in the late campaign the hostility of the Buchanan Administration, he now sought to recover prestige by publishing more advanced opinions indirectly sustaining and defendir g slavery.

Hitherto he had declared he did not care whether slavery was voted down or voted up. He had said he would not argue the question whether slavery

CHAP. X. was right or wrong. He had adopted Taney's assertion that the negro had no share in the Declaration of Independence. He had asserted that uniformity was impossible, but that freedom and slavery might abide together forever. But now that the election was over and a new term in the Senate secure, he was ready to conciliate pro-slavery opinion with stronger expressions. Hence, in a speech at Memphis, he cunningly linked together in argument unfriendly legislation, slavery, and annexation. He said: "Whenever a Territory has a climate, soil, and production making it the interest of the inhabitants to encourage slave property, they will pass a slave code."

Wherever these preclude the possibility of slavery being profitable, they will not permit it. On the sugar plantations of Louisiana it was not a question between the white man and the negro, but between the negro and the crocodile. He would say that between the negro and the crocodile, he took the side of the negro; but between the negro and the white man, he would go for the white man. The Almighty has drawn the line on this continent, on the one side of which the soil must be cultivated by slave labor; on the other by white labor. That line did not run on 36° and 30′ [the Missouri Compromise line], for 36° and 30′ runs over mountains and through valleys. But this slave line, he said, meanders in the sugar-fields and plantations of the South, and the people living in their different localities and in the Territories must determine for themselves whether their "middle bed" is best adapted to slavery or free labor.

Referring to annexation, he said our destiny had forced us to acquire Florida, Louisiana, Texas, New Mexico, and California. "We have now territory enough, but how long will it be enough? One hive is enough for one swarm of bees, but a new swarm comes next year and a new hive is wanted." Men may say we shall never want anything more of Mexico, but the time would come when we would be compelled to take more. Central America was half-way to California and on the direct road. The time will come when our destiny, our institutions, our safety will compel us to have it. "So it is," concluded he, "with the island of Cuba. . . It is a matter of no consequence whether we want it or not; we are compelled to take it, and we can't help it."

Douglas, Memphis Speech, Nov. 29, 1858. Memphis "Eagle and Enquirer."

When Douglas reached New Orleans he substantially repeated these declarations in another long speech, and, as if he had not yet placed himself in entire harmony with Southern opinion, he added a sentiment almost as remarkable as the "mud-sill" theory of Hammond, or the later "corner-stone" doctrine of Stephens: "It is a law of humanity," said he, "a law of civilization, that whenever a man or a race of men show themselves incapable of managing their own affairs, they must consent to be governed by those who are capable of performing the duty. It is on this principle that you establish those institutions of charity for the support of the blind, or the deaf and dumb, or the insane. In accordance with this principle, I assert that the negro race, under all circumstances, at all times, and in all countries, has shown itself incapable of self-government."

Douglas, New Orleans Speech, Dec. 6, 1858. Pamphlet.

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Douglas, Baltimore Speech, Jan. 5, 1859. Pamphlet.

Once more, in a speech at Baltimore, Douglas repeated in substance what he had said at Memphis and New Orleans, and then in the beginning of January, 1859, he reached Washington and took his seat in the Senate. Here he began to comprehend the action of the Democratic caucus in deposing him from the chairmanship of the Committee on Territories. His personal influence and prestige among the Southern leaders were gone. Neither his revived zeal for annexation, nor his advanced views on the necessity for slave labor, restored his good-fellowship with the extremists. Although, pursuant to a recommendation in the annual message, a measure was then pending in the Senate to place thirty millions in the hands of President Buchanan with which to negotiate for Cuba, the attitude of the pro-slavery faction was not one of conciliation, but of unrelenting opposition to him.

Towards the close of the short session this feeling broke out in an open demonstration. On February 23, while an item of the appropriation bill was under debate, Senator Brown, of Mississippi, said he wanted the success of the Democratic party in 1860 to be a success of principles and not of men. He neither wanted to cheat nor be cheated. Under the decision of the Supreme Court the South would demand protection for slavery in the Territories. If he understood the Senator from Illinois, Mr. Douglas, he thought a Territorial Legislature might by non-action or by unfriendly action rightfully exclude slavery. He dissented from him, and now he would like to know from other Senators from the North what they would do: "If the Territorial Legislature refuses to act,

will you act? If it pass unfriendly acts, will you pass friendly? If it pass laws hostile to slavery, will you annul them and substitute laws favoring slavery in their stead? . . . I would rather," concluded he, "see the Democratic party sunk, never to be resurrected, than to see it successful only that one portion of it might practice a fraud on another."

Brown, Senate Speech, Feb. 23, 1859. "Globe," pp. 1241 *et seq.*

Douglas met the issue, and defended his Freeport doctrine without flinching. The Democracy of the North hold, said he, that "if you repudiate the doctrine of non-intervention, and form a slave code by act of Congress, where the people of a Territory refuse it, you must step off the Democratic platform. I tell you, gentlemen of the South, in all candor, I do not believe a Democratic candidate can ever carry any one Democratic State of the North on the platform that it is the duty of the Federal Government to force the people of a Territory to have slavery when they do not want it."

Douglas, Senate Speech, Feb. 23, 1859. "Globe," pp. 1246–7.

The discussion extended itself to other Senators; Jefferson Davis, of Mississippi, Clay, of Alabama, Mason, of Virginia, and Gwin, of California, seconded the demands and arguments of Brown; while Pugh, of Ohio, Broderick, of California, and Stuart, of Michigan, came to the help and defense of Douglas and non-intervention. Several Republicans drifted into the debate on behalf of the position and principles of their party, which of course differed from those of both Brown and Douglas. The discussion was continued to a late hour, and finally came to an end through mere lapse of time, but not until an irreparable schism in the Democratic party had been opened.

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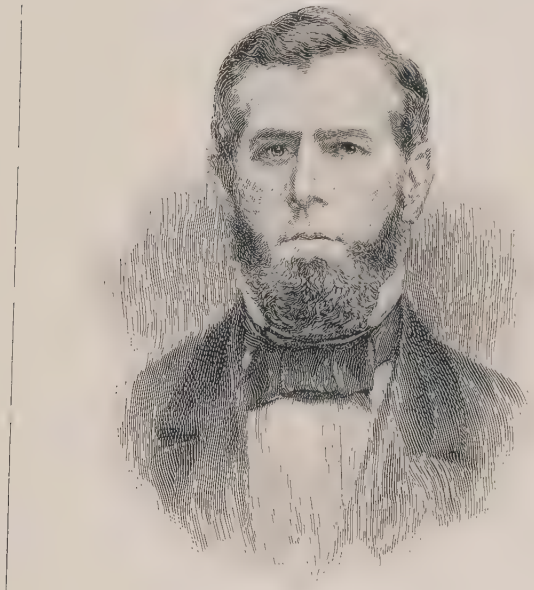
Silence upon so vital an issue could not long be maintained. In the following June, an Iowa friend wrote to Douglas to inquire whether he would be a candidate for the Presidential nomination at the coming Charleston Convention. Douglas replied that party issues must first be defined. If the Democracy adhered to their former principles, his friends would be at liberty to present his name. "If, on the contrary," continued he, "it shall become the policy of the Democratic party, which I cannot anticipate, to repudiate these their time-honored principles, on which we have achieved so many patriotic triumphs, and in lieu of them the convention shall interpolate into the creed of the party such new issues as the revival of the African slave-trade, or a Congressional slave-code for the Territories, or the doctrine that the Constitution of the United States either establishes or prohibits slavery in the Territories beyond the power of the people legally to control it, as other property—it is due to candor to say that, in such an event, I could not accept the nomination if tendered to me."

Douglas to Dorr, June 22, 1859. Baltimore "Sun," June 24, 1859.

We must leave the career of Douglas for a while, to follow up the personal history of Lincoln. The peculiar attitude of national politics had in the previous year drawn the attention of the whole country to Illinois in a remarkable degree. The Senatorial campaign was hardly opened when a Chicago editor, whose daily examination of a large list of newspaper exchanges brought the fact vividly under his observation, wrote to Lincoln: "You are like Byron, who woke up one morning and found himself famous. People wish to know about you. You have sprung at once from the



DAVID COLBRETH BRODERICK.

position of a capital fellow, and a leading lawyer in Illinois, to a national reputation."

Ray to Lincoln, July 27, 1858. MS.

The compliment was fully warranted; the personal interest in Lincoln increased daily from the beginning to the end of the great debates. The Freeport doctrine and its effect upon the Democratic party gave these discussions both present significance and a growing interest for the future. Another friend wrote him, a few days after election: "You have made a noble canvass, which, if unavailing in this State, has earned you a national reputation, and made you friends everywhere."

David Davis to Lincoln, Nov. 7, 1858. MS.

That this was not the mere flattery of partial friends became manifest to him by other indications; by an increased correspondence filled with general commendation, and particularly by numerous invitations to deliver speeches in other States. The Republican Central Committee of New Hampshire wrote him that if Douglas came, as was expected, to that State, they desired Lincoln to come and answer him. The Central Committee of Minnesota wished him to come there and assist in their canvass. There was an incessant commotion in politics throughout the whole North, and as the season advanced calls came from all quarters. Kansas wanted him; Buffalo, Des Moines, Pittsburgh wanted him; Thurlow Weed telegraphed: "Send Abraham Lincoln to Albany immediately." Not only his presence, but his arguments, and ideas, were in demand. Dennison, making the canvass for Governor of Ohio, asked for a report of his debates for campaign "material."

Delahay to Lincoln, March 15, 1859. MS. Dorsheimer to Chase, Sept. 12, 1859. MS. Kasson to Lincoln, Sept. 13, 1859. MS. Kirkpatrick to Lincoln, Sept. 15, 1859. MS. Weed to Judd, Oct. 21, 1859. MS. Dennison to Trumbull, July 21, 1859. MS.

That men in all parts of the Union were thus turning to him for help and counsel was due, not

CHAP. X. alone to the publicity and credit he had gained in his debates with Douglas in the previous year; it grew quite as much out of the fact that by his sagacity and courage he had made himself the safest, as well as the most available, rallying-point of the Republican party and exponent of Republican doctrine. The Lecompton quarrel in the Democratic party had led many prominent Republicans on a false trail. In Douglas's new attitude, developed by his Southern speeches and his claim to readmission into regular Democratic fellowship, these leaders found themselves at fault, discredited by their own course. Lincoln, on the contrary, not only held aloft the most aggressive Republican banner, but stood nearest the common party enemy, and was able to offer advice to all the elements of the Republican party, free from any suspicion of intrigue with foe or faction. The causes of his Senatorial defeat thus gave him a certain party authority and leadership, which were felt if not openly acknowledged. On his part, while never officious or obtrusive, he was always ready with seasonable and judicious suggestions, generous in spirit and comprehensive in scope, and which looked beyond mere local success.

Thus he wrote from Springfield to Schuyler Colfax (afterwards Vice-President of the United States), July 6, 1859: "I much regret not seeing you while you were here among us. Before learning that you were to be at Jacksonville on the 4th, I had given my word to be at another place. Besides a strong desire to make your personal acquaintance, I was anxious to speak with you on politics a little more fully than I can well do in a letter. My main object

in such conversation would be to hedge against divisions in the Republican ranks generally, and particularly for the contest of 1860. The point of danger is the temptation in different localities to 'platform' for something which will be popular just there, but which, nevertheless, will be a firebrand elsewhere, and especially in a national convention. As instances, the movement against foreigners in Massachusetts; in New Hampshire, to make obedience to the fugitive-slave law punishable as a crime; in Ohio, to repeal the fugitive-slave law; and, squatter sovereignty, in Kansas. In these things there is explosive matter enough to blow up half a dozen national conventions, if it gets into them; and what gets very rife outside of conventions is very likely to find its way into them. What is desirable, if possible, is that in every local convocation of Republicans a point should be made to avoid everything which will disturb Republicans elsewhere. Massachusetts Republicans should have looked beyond their noses, and then they could not have failed to see that tilting against foreigners would ruin us in the whole North-west. New Hampshire and Ohio should forbear tilting against the fugitive-slave law in such way as to utterly overwhelm us in Illinois with the charge of enmity to the Constitution itself. Kansas, in her confidence that she can be saved to freedom on 'squatter sovereignty,' ought not to forget that to prevent the spread and nationalization of slavery is a national concern, and must be attended to by the nation. In a word, in every locality we should look beyond our noses; and at least say nothing on points where it is probable we shall disagree. I

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write this for your eye only; hoping, however, if you see danger as I think I do, you will do what you can to avert it. Could not suggestions be made to leading men in the State and Congressional conventions, and so avoid, to some extent at least, these apples of discord."[1]

By this time Colfax was cured of his late coquetting with Douglas, and he replied: "The suggestions you make have occurred to me. . . Nothing is more evident than that there is an ample number of voters in the Northern States, opposed to the extension and aggressions of slavery and to Democratic misrule, to triumphantly elect a President of the United States. But it is equally evident that making up this majority are men of all shades and gradations of opinion, from the conservative who will scarcely defend his principles for fear of imperiling peace, to the bold radical who strikes stalwart blows regardless of policy or popularity. How this mass of mind shall be consolidated into a victorious phalanx in 1860 is the great problem, I think, of our eventful times. And he who could accomplish it is worthier of fame than Napoleon or Victor Emmanuel. . . In this work, to achieve success, and to achieve it without sacrifice of essential principle, you can do far more than one like myself, so much younger. Your counsel carries great weight with it; for, to be plain, there is no political letter that falls from your pen which is not copied throughout the Union."

Colfax to Lincoln, July 14, 1859. MS.

This allusion was called out by two letters which

[1] Partly printed in Hollister, "Life of Colfax," p. 146. We are indebted to Mrs. Colfax for the full manuscript text of this and other valuable letters which we have used.

Lincoln had written during the year; one declaring his opposition to the waning fallacy of know-nothingism, in which he also defined his position on "fusion." Referring to a provision lately adopted by Massachusetts to restrict naturalization, he wrote: "Massachusetts is a sovereign and independent State; and it is no privilege of mine to scold her for what she does. Still, if from what she has done, an inference is sought to be drawn as to what I would do, I may, without impropriety, speak out. I say then, that, as I understand the Massachusetts provision, I am against its adoption in Illinois, or in any other place where I have a right to oppose it. Understanding the spirit of our institutions to aim at the elevation of men, I am opposed to whatever tends to degrade them. I have some little notoriety for commiserating the oppressed condition of the negro; and I should be strangely inconsistent if I could favor any project for curtailing the existing rights of white men, even though born in different lands, and speaking different languages from myself. As to the matter of fusion, I am for it, if it can be had on Republican grounds; and I am not for it on any other terms. A fusion on any other terms would be as foolish as unprincipled. It would lose the whole North, while the common enemy would still carry the whole South. The question of men is a different one. There are good patriotic men and able statesmen in the South whom I would cheerfully support, if they would now place themselves on Republican ground, but I am against letting down the Republican standard a hair's breadth." CHAP. X.

Lincoln to Canisius, May 17, 1859.

The other was a somewhat longer letter, to a

CHAP. X. Boston committee which had invited him to a festival in honor of Jefferson's birthday. "Bearing in mind that about seventy years ago two great political parties were first formed in this country; that Thomas Jefferson was the head of one of them, and Boston the headquarters of the other, it is both curious and interesting that those supposed to descend politically from the party opposed to Jefferson, should now be celebrating his birthday, in their own original seat of empire, while those claiming political descent from him have nearly ceased to breathe his name everywhere. . .

"But, soberly, it is now no child's play to save the principles of Jefferson from total overthrow in this nation. One would state with great confidence that he could convince any sane child that the simpler propositions of Euclid are true; but nevertheless he would fail, utterly, with one who should deny the definitions and axioms. The principles of Jefferson are the definitions and axioms of free society. And yet they are denied and evaded, with no small show of success. One dashingly calls them 'glittering generalities.' Another bluntly calls them 'self-evident lies.' And others insidiously argue that they apply only to 'superior races.' These expressions, differing in form, are identical in object and effect — the supplanting the principles of free government, and restoring those of classification, caste, and legitimacy. They would delight a convocation of crowned heads plotting against the people. They are the van-guard — the miners and sappers of returning despotism. We must repulse them, or they will subjugate us. This is a world of compensation; and he who

would be no slave must consent to have no slave. Those who deny freedom to others deserve it not for themselves; and, under a just God, cannot long retain it. All honor to Jefferson — to the man who, in the concrete pressure of a struggle for national independence by a single people, had the coolness, forecast, and capacity to introduce into a merely revolutionary document an abstract truth, applicable to all men and all times, and so to embalm it there that to-day and in all coming days it shall be a rebuke and a stumbling-block to the very harbingers of re-appearing tyranny and oppression."

Lincoln to Pierce and others, April 6, 1859.

Lincoln's more important political work of the year 1859 was the part he took in the canvass in the State of Ohio, where a governor was to be chosen at the October election, and where the result would decide not merely the present and local strength of the rival candidates, but also to some extent indicate the prospects and probabilities of the Presidential campaign of 1860. The Ohio Democrats had called Douglas into their canvass, and the Republicans, as soon as they learned the fact, arranged that Lincoln should come and answer him. There was a fitness in this, not merely because Lincoln's joint debates with him in Illinois in the previous summer were so successful, but also because Douglas in nearly every speech made since then, both in his Southern tour and elsewhere, alluded to the Illinois campaign, and to Lincoln by name, especially to what he characterized as his political heresies. By thus everywhere making Lincoln and Lincoln's utterances a public target, Douglas himself, in effect, prolonged and

CHAP. X. extended the joint debates over the whole Union. Another circumstance added to the momentary interest of the general discussion. Douglas was by nature aggressive. Determined to hold his Northern followers in the new issues which had grown out of his Freeport doctrine, and the new antagonisms which the recent slave code debate in the Senate revealed, he wrote and published in "Harper's Magazine" for September, 1859, a political article beginning with the assertion that "Under our complex system of government it is the first duty of American statesmen to mark distinctly the dividing-line between Federal and Local authority." Quoting both the paragraph of Lincoln's Springfield speech declaring that "a house divided against itself cannot stand," and the paragraph from Seward's Rochester speech, announcing the "irrepressible conflict," Douglas made a long historical examination of his own theory of "non-intervention" and "popular sovereignty," and built up an elaborate argument to sustain his course. The novelty of this appeal to the public occasioned general interest and varied comment, and the expedient seemed so ingenious as to excite the envy of Administration Democrats. Accordingly, Attorney-General Black, of President Buchanan's Cabinet, at "the request of friends," wrote, printed, and circulated an anonymous pamphlet in answer, in which he admitted that Douglas was "not the man to be treated with a disdainful silence," but characterized the "Harper" essay as "an unsuccessful effort at legal precision; like the writing of a judge who is trying in vain to give good reasons for a wrong decision on a question of law which

he has not quite mastered." Douglas, in a speech at Wooster, Ohio, criticized this performance of Black's. Reply and rejoinder on both sides followed in due time; and this war of pamphlets was one of the prominent political incidents of the year.

Thus Lincoln's advent in the Ohio campaign attracted much more than usual notice. He made but two speeches, one at Columbus, and one at Cincinnati, at each of which places Douglas had recently preceded him. Lincoln's addresses not only brought him large and appreciative audiences, but they obtained an unprecedented circulation in print. In the main, they reproduced and tersely re-applied the ideas and arguments developed in the Senatorial campaign in Illinois, adding, however, searching comments on the newer positions and points to which Douglas had since advanced. There is only space to insert a few disconnected quotations:

> Now, what is Judge Douglas's popular sovereignty? It is as a principle no other than that, if one man chooses to make a slave of another man, neither that other man nor anybody else has a right to object. . .
>
> If you will read the copyright essay, you will discover that Judge Douglas himself says, a controversy between the American Colonies and the Government of Great Britain began on the slavery question in 1699, and continued from that time until the Revolution; and, while he did not say so, we all know that it has continued with more or less violence ever since the Revolution. . .
>
> Take these two things and consider them together; present the question of planting a State with the institution of slavery by the side of a question of who shall be Governor of Kansas for a year or two, and is there a man here, is there a man on earth, who would not say the

governor question is the little one, and the slavery question is the great one? I ask any honest Democrat if the small, the local, the trivial and temporary question is not, Who shall be governor? while the durable, the important, and the mischievous one is, Shall this soil be planted with slavery? This is an idea, I suppose, which has arisen in Judge Douglas's mind from his peculiar structure. I suppose the institution of slavery really looks small to him. He is so put up by nature that a lash upon his back would hurt him, but a lash upon anybody else's back does not hurt him. . .

The Dred Scott decision expressly gives every citizen of the United States a right to carry his slaves into the United States Territories. And now there was some inconsistency in saying that the decision was right, and saying, too, that the people of the Territory could lawfully drive slavery out again. When all the trash, the words, the collateral matter was cleared away from it, all the chaff was fanned out of it, it was a bare absurdity; no less than that a thing may be lawfully driven away from where it has a lawful right to be. . .

The Judge says the people of the Territories have the right, by his principle, to have slaves if they want them. Then I say that the people in Georgia have the right to buy slaves in Africa if they want them, and I defy any man on earth to show any distinction between the two things — to show that the one is either more wicked or more unlawful; to show on original principles, that one is better or worse than the other; or to show by the Constitution, that one differs a whit from the other. He will tell me, doubtless, that there is no constitutional provision against people taking slaves into the new Territories, and I tell him that there is equally no constitutional provision against buying slaves in Africa. . .

Then I say, if this principle is established, that there is no wrong in slavery, and whoever wants it has a right to have it; that it is a matter of dollars and cents; a sort of question how they shall deal with brutes; that between us and the negro here there is no sort of question,

but that at the South the question is between the negro and the crocodile; that it is a mere matter of policy; that there is a perfect right according to interest to do just as you please — when this is done, where this doctrine prevails, the miners and sappers will have formed public opinion for the slave trade. . .

Public opinion in this country is everything. In a nation like ours this popular sovereignty and squatter sovereignty have already wrought a change in the public mind to the extent I have stated. There is no man in this crowd who can contradict it. Now, if you are opposed to slavery honestly, as much as anybody, I ask you to note that fact, and the like of which is to follow, to be plastered on layer after layer, until very soon you are prepared to deal with the negro everywhere as with the brute. If public sentiment has not been debauched already to this point, a new turn of the screw in that direction is all that is wanting; and this is constantly being done by the teachers of this insidious popular sovereignty. You need but one or two turns further until your minds, now ripening under these teachings, will be ready for all these things; and you will receive and support, or submit to, the slave trade revived with all its horrors, a slave code enforced in our Territories, and a new Dred Scott decision to bring slavery up into the very heart of the free North.

Lincoln, Columbus Speech, Sept. 16, 1859. Debates, pp. 243–54.

This Government is expressly charged with the duty of providing for the general welfare. We believe that the spreading out and perpetuity of the institution of slavery impairs the general welfare. We believe — nay, we know, that this is the only thing that has ever threatened the perpetuity of the Union itself. . .

I say we must not interfere with the institution of slavery in the States where it exists, because the Constitution forbids it, and the general welfare does not require us to do so. We must not withhold an efficient fugitive-slave law, because the Constitution requires us, as I understand it, not to withhold such a law. But we must prevent the outspreading of the institution, because neither the Constitution nor the general welfare requires

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us to extend it. We must prevent the revival of the African slave trade, and the enacting by Congress of a Territorial slave code. We must prevent each of these things being done by either congresses or courts. The people of these United States are the rightful masters of both congresses and courts, not to overthrow the Constitution, but to overthrow the men who pervert the Constitution.

Lincoln, Cincinnati Speech, Sept. 17, 1859. Debates, pp. 267–8.

The Ohio Republicans gained a decided success at the October election. Ascribing this result in a large measure to the influence of Lincoln's speeches, the State Executive Committee resolved to publish in cheap book form the full Illinois joint debates and the two Ohio addresses, to serve as campaign material for the ensuing year. "We regard them," wrote the committee to Lincoln, "as luminous and triumphant expositions of the doctrines of the Republican party, successfully vindicated from the aspersions of its foes, and calculated to make a document of great practical service to the Republican party in the approaching Presidential contest."

Parsons and others to Lincoln, Dec. 7, 1859. Debates, preface.

Lincoln, thanking them for the flattering terms of their request, explained in his reply: "The copies I send you, are as reported and printed by the respective friends of Senator Douglas and myself at the time — that is, his by his friends, and mine by mine. It would be an unwarrantable liberty for us to change a word or a letter in his, and the changes I have made in mine, you perceive, are verbal only, and very few in number. I wish the reprint to be precisely as the copies I send, without any comment whatever."

Lincoln to Parsons and others, Dec. 19, 1859. Ibid.

The enterprise proved a success beyond the most sanguine expectations. A Columbus firm under-

took the publication, itself assuming all pecuniary risk. Three large editions were sold directly to the public, without any aid from or any purchase by the committee — the third edition containing the announcement that up to that date, June 16, 1860, thirty thousand copies had already been circulated.[1]

[1] The preface to this third edition contains a letter from Douglas, alleging that injustice had been done him because, "the original reports as published in the 'Chicago Times,' although intended to be fair and just, were necessarily imperfect, and in some respects erroneous"; charging at the same time that Lincoln's speeches had been revised, corrected, and improved.* To this the publishers replied: "The speeches of Mr. Lincoln were never 'revised, corrected, or improved' in the sense you use those words. Remarks by the crowd which were not responded to, and the reporters' insertions of 'cheers,' 'great applause,' and so forth, which received no answer or comment from the speaker, were by our direction omitted, as well from Mr. Lincoln's speeches as yours, as we thought their perpetuation in book form would be in bad taste, and were in no manner pertinent to, or a part of, the speech."† And the publishers add a list of their corrections.

* Douglas to Follet, Foster & Co., June 9, 1860. Debates, third edition, preface.

† Follet, Foster & Co. to Douglas, June 16, 1860. Ibid.

CHAPTER XI

HARPER'S FERRY

CHAP. XI. THERE now occurred another strange event which, if it had been specially designed as a climax for the series of great political sensations since 1852, could scarcely have been more dramatic. This was John Brown's invasion of Harper's Ferry in order to create a slave insurrection. We can only understand the transaction as far as we can understand the man, and both remain somewhat enigmatical.

Of Puritan descent, John Brown was born in Connecticut in the year 1800. When he was five years old, the family moved to Ohio, at that time a comparative wilderness. Here he grew up a strong, vigorous boy of the woods. His father taught him the tanner's trade; but a restless disposition drove him to frequent changes of scene and effort when he grew to manhood. He attempted surveying. He became a divinity student. He tried farming and tanning in Pennsylvania, and tanning and speculating in real estate in Ohio. Cattle-dealing was his next venture; from this to sheep-raising; and by a natural transition to the business of a wool-factor in Massachusetts. This not succeeding, he made a trip to Europe. Re-

turning, he accepted from Gerrit Smith a tract of mountain land in the Adirondacks, where he proposed to found and foster colonies of free negroes. This undertaking proved abortive, like all his others, and he once more went back to the wool business in Ohio. CHAP. XI.

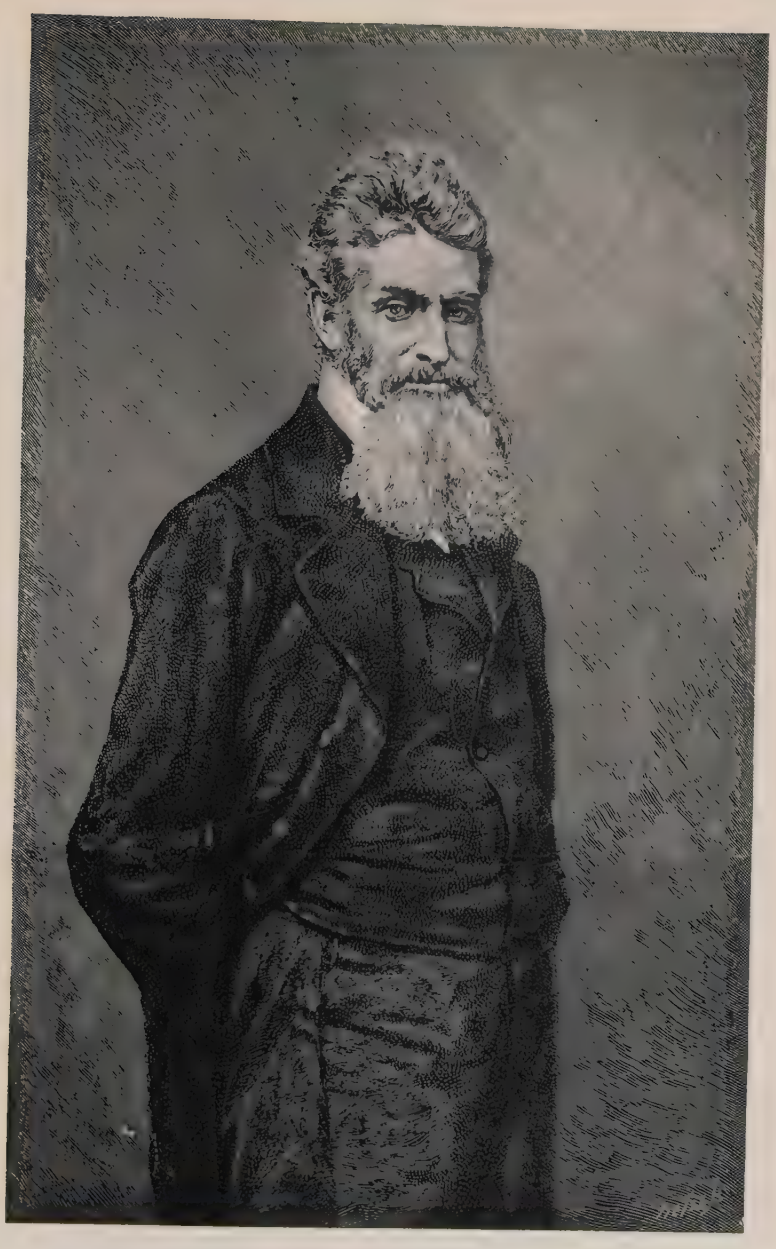
Twice married, nineteen children had been born to him, of whom eleven were living when, in 1854, the Kansas-Nebraska bill plunged the country into the heat of political strife. Four of his sons moved away to the new Territory in the first rush of emigrants; several others went later. When the Border-Ruffian hostilities broke out, John Brown followed, with money and arms contributed in the North. With his sons as a nucleus, he gathered a little band of fifteen to twenty adventurers, and soon made his name a terror in the lawless guerrilla warfare of the day. His fighting was of the prevailing type, justifiable, if at all, only on the score of defensive retaliation, and some of his acts were as criminal and atrocious as the worst of those committed by the Border Ruffians.[1] His losses, one son murdered, another wounded to the death,

[1] On the night of May 24–25, 1856, five pro-slavery men living on Pottawatomie Creek, in Kansas, were mysteriously and brutally assassinated. The relatives and friends of the deceased charged John Brown and his band with these murders, which the relatives and friends of Brown persistently denied. His latest biographer, however, unreservedly admits his guilt: "For some reason he [John Brown] chose not to strike a blow himself; and this is what Salmon Brown meant when he declared that his father 'was not a participator in the deed.' It was a very narrow interpretation of the word 'participator' which would permit such a denial; but it was no doubt honestly made, although for the purpose of disguising what John Brown's real agency in the matter was. He was, in fact, the originator and performer of these executions, although the hands that dealt the wounds were those of others." — Frank B. Sanborn, "Life and Letters of John Brown," pp. 263–4.

CHAP. XI. and a third rendered insane from cruel treatment, are scarcely compensated by the transitory notoriety he gathered in a few fool-hardy skirmishes.

These varied experiences give us something of a clue to his character: a strong will; great physical energy; sanguine, fanatical temperament; unbounded courage and little wisdom; crude, visionary ideality; the inspiration of biblical precepts and Old Testament hero-worship; and ambition curbed to irritation by the hard fetters of labor, privation, and enforced endurance. In association, habit, language, and conduct, he was clean, but coarse; honest, but rude. In disposition he mingled the sacrificing tenderness with the sacrificial sternness of his prototypes in Jewish history. He could lay his own child on the altar without a pang. The strongest element of his character was religious fanaticism. Taught from earliest childhood to "fear God and keep his commandments," he believed firmly in the divine authenticity of the Bible, and memorized much of its contents. His favorite texts became literal and imperative mandates; he came to feel that he bore the commission and enjoyed the protection of the Almighty. In his Kansas camps he prayed and saw visions; believed he wielded the sword of the Lord and of Gideon; had faith that the angels encompassed him. He desired no other safeguard than his own ideas of justice and his own convictions of duty. These ideas and convictions, however, refused obedience to accepted laws and morals, and were mere fantastic and pernicious outgrowths of his religious fanaticism. His courage partook of the recklessness of insanity. He did not count odds. "What

James Redpath, "Life of John Brown," p. 48.



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are five to one?" he asked; and at another time he said, "One man in the right, ready to die, will chase a thousand." Perhaps he even believed he held a charmed life, for he boasted that he had been fired at thirty times and only his hair had been touched. In personal appearance he was tall and slender, with rather a military bearing. He had an impressive, half-persuasive, half-commanding manner. He was always very secretive, affected much mystery in movements, came and went abruptly, was direct and dogmatic to bluntness in his conversation. His education was scant, his reading limited; he wrote strong phrases in bad orthography. If we may believe the intimations from himself and those who knew him best, he had not only acquired a passionate hatred of the institution of slavery, but had for twenty years nursed the longing to become a liberator of slaves in the Southern States. To this end he read various stories of insurrections, and meditated on the vicissitudes, chances, and strategy of partisan warfare. A year's border fighting in Kansas not only suddenly put thought into action, but his personal and family sacrifices intensified his visionary ambition into a stern and inflexible purpose.

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Sanborn, in the "Atlantic," April, 1872.

It is impossible to trace exactly how and when the Harper's Ferry invasion first took practical shape in John Brown's mind, but the indications are that it grew little by little out of his Kansas experience. His earliest collisions with the Border Ruffians occurred the spring and summer of 1856. In the autumn of that year the United States troops dispersed his band, and generally suppressed the civil war. In January, 1857, we find him in

CHAP. XI. the Eastern States, appealing for arms and supplies to various committees and in various places, alleging that he desired to organize and equip a company of one hundred minute-men, who were "mixed up with the people of Kansas," but who should be ready on call to rush to the defense of freedom. This appeal only partly succeeded. From one committee he obtained authority as agent over certain arms stored in Iowa, the custody and control of which had been in dispute. From another committee he obtained a portion of the clothing he desired. From still other sources he received certain moneys, but not sufficient for his requirements. Two circumstances, however, indicate that he was practicing a deception upon the committees and public. He entered into a contract with a blacksmith, in Collinsville, Connecticut, to manufacture him 1000 pikes of a certain pattern,[1] to be completed in 90 days, and paid $550 on the contract. There is no record that he mentioned this matter to any committee. His proposed Kansas minute-men were only to be one hundred in number, and the pikes could not be for them; his explanation to the blacksmith, that

[1] "He was exhibiting to a number of gentlemen, who happened to be collected together in a druggist's store, some weapons which he claimed to have taken from Captain Pate in Kansas. Among them was a two-edged dirk, with a blade about eight inches long, and he remarked that if he had a lot of those things to attach to poles about six feet long, they would be a capital weapon of defense for the settlers of Kansas. . . When he came to make the contract, he wrote it to have malleable ferrules, cast solid, and a guard to be of malleable iron. That was all the difference. . . After seeing the sample he made a slight alteration. One was, to have a screw to put in, as the one here has, so that they could be unshipped in case of necessity." — Blair, Testimony before Investigating Committee, Senate Report No. 278, 1st Sess. 36th Cong., pp. 121–2.

they would be a good weapon of defense for Kansas settlers, was clearly a subterfuge. These pikes, ordered about March 23, 1857, were without doubt intended for his Virginia invasion; and in fact the identical lot, finished after long delay, under the same contract, were shipped to him in September, 1859, and were actually used in his Harper's Ferry attempt. The other circumstance is that, about the time of his contract for the pikes, he also, without the knowledge of committees or friends, engaged an adventurer, named Forbes, to go West and give military instruction to his company — a measure neither useful nor practicable for Kansas defense. These two acts may be taken as the first preparation for Harper's Ferry.

But merely to conceive great enterprises is not to perform them, and every after-step of John Brown reveals his lamentable weakness and utter inadequacy for the heroic rôle to which he fancied himself called. His first blunder was in divulging all his plans to Forbes, an utter stranger, while he was so careful in concealing them from others. Forbes, as ambitious and reckless as himself, of course soon quarreled with him, and left him, and endeavored first to supplant and then betray him.

Meanwhile, little by little, Brown gathered one colored and six white confederates from among his former followers in Kansas, and assembled them for drill and training in Iowa; four others joined him there. These, together with his son Owen, counted, all told, a band of twelve persons engaged for, and partly informed of, his purpose. He left them there for instruction during the first three

Realf, Testimony Mason Report, p. 91. Ibid., pp. 91–4.

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months of the year 1858, while he himself went East to procure means.

At the beginning of February, 1858, John Brown became, and remained for about a month, a guest at the house of Frederick Douglass, in Rochester, New York. Immediately on his arrival there he wrote to a prominent Boston abolitionist, T. W. Higginson: "I now want to get, for the perfecting of by far the most important undertaking of my whole life, from $500 to $800 within the next sixty days. I have written Rev. Theodore Parker, George L. Stearns, and F. B. Sanborn, Esquires, on the subject."

"Atlantic," July, 1872, p. 51.

Correspondence and mutual requests for a conference ensued, and finally these Boston friends sent Sanborn to the house of Gerrit Smith, in Peterboro, New York, where a meeting had been arranged. Sanborn was a young man of twenty-six, just graduated from college, who, as secretary of various Massachusetts committees, had been the active agent for sending contributions to Kansas. He arrived on the evening of Washington's birthday, February 22, 1858, and took part in a council of conspiracy, of which John Brown was the moving will and chief actor.

Sanborn, "Life and Letters of John Brown," p. 438.

"Atlantic," July, 1872, p. 52.

Brown began by reading to the council a long document which he had drafted since his stay in Rochester. It called itself a "Provisional Constitution and Ordinances for the People of the United States," which, as it explained, looked to no overthrow of States or dissolution of the Union, but simply to "amendment and repeal." It was not in any sense a reasonable project of government, but simply an ill-jointed outline of rules for a pro-

Sanborn in "Atlantic," March, 1875, p. 329; also, Mason Report, pp. 48–59.

posed slave insurrection. The scheme, so far as any comprehension of it may be gleaned from the various reports which remain, was something as follows:

Somewhere in the Virginia mountains he would raise the standard of revolt and liberation. Enthusiasts would join him from the free States, and escaped blacks come to his help from Canada. From Virginia and the neighboring slave States of North Carolina, South Carolina, Georgia, Tennessee, and Kentucky, fugitive slaves, with their families, would flock to his camps. He would take his supplies, provisions, and horses by force from the neighboring plantations. Money, plate, watches, and jewelry would "constitute a liberal safety or intelligence fund." For arms, he had 200 Sharps rifles, and 200 revolvers, with which he would arm his best marksmen. His ruder followers, and even the women and children, he would arm with pikes to defend the fortifications. He would construct defenses of palisades and earth-works. He would use natural strongholds; find secret mountain-passes to connect one with another; retreat from and evade attacks he could not overcome. He would maintain and indefinitely prolong a guerrilla war, of which the Seminole Indians in Florida and the negroes in Hayti afforded examples. With success, he would enlarge the area of his occupation so as to include arable valleys and low-lands bordering the Alleghany range in the slave States; and here he would colonize, govern, and educate the blacks he had freed, and maintain their liberty. He would make captures and reprisals, confiscate property, take, hold, and exchange pris-

Mason Report, p. 55.

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oners, and especially white hostages and exchange them for slaves to liberate. He would recognize neutrals, make treaties, exercise humanity, prevent crime, repress immorality, and observe all established laws of war. Success would render his revolt permanent, and in the end, through "amendment and repeal," abolish slavery. If, at the worst, he were driven from the mountains he would retreat with his followers through the free States to Canada. He had 12 recruits drilling in Iowa, and a half-executed contract for 1000 pikes in Connecticut; furnish him $800 in money and he would begin operations in May.

Blair, Testimony, Mason Report, pp. 121–5.

Sanborn, "Life and Letters of John Brown," p. 438.

This, if we supply continuity and arrangement to his vagaries, must have been approximately what he felt or dreamily saw, and outlined in vigorous words to his auditors. His listening friends were dumfounded at the audacity as well as heart-sick at the hopelessness of such an attempt. They pointed out the almost certainty of failure and destruction, and attempted to dissuade him from the mad scheme; but to no purpose. They saw they were dealing with a foregone conclusion; he had convoked them, not to advise as to methods, but to furnish the means. All reasonable argument he met with his rigid dogmatic formulas, his selected proverbs, his favorite texts of Scripture. The following, preserved by various witnesses as samples of his sayings at other times, indicate his reasoning on this occasion: "Give a slave a pike and you make him a man. I would not give Sharps rifles to more than ten men in a hundred, and then only when they have learned to use them. A ravine is better than a plain. Woods and mountain-sides

Sanborn in "Atlantic," March, 1875, p. 329.

can be held by resolute men against ten times their force. Nat Turner, with fifty men, held Virginia five weeks; the same number, well organized and armed, can shake the system out of the State." "A few men in the right, and knowing they are right, can overturn a king. Twenty men in the Alleghanies could break slavery to pieces in two years." "If God be for us, who can be against us? Except the Lord keep the city, the watchman waketh but in vain."

Redpath, "Life of John Brown," p. 206.

Sanborn in "Atlantic," July, 1872, p. 52.

One of the participants relates, that — "When the agitated party broke up their council for the night, it was perfectly plain that Brown could not be held back from his purpose." The discussion of the friends on the second day (February 23) was therefore only whether they should aid him, or oppose him, or remain indifferent. Against every admonition of reason, mere personal sympathy seems to have carried a decision in favor of the first of these alternatives. "You see how it is," said the chief counselor, Gerrit Smith; "our dear old friend has made up his mind to this course and cannot be turned from it. We cannot give him up to die alone; we must support him." Brown has left an exact statement of his own motive and expectation, in a letter to Sanborn on the following day. "I have only had this one opportunity in a life of nearly sixty years. . . God has honored but comparatively a very small part of mankind with any possible chance for such mighty and soul-satisfying rewards. . . I expect nothing but to endure hardness, but I expect to effect a mighty conquest, even though it be like the last victory of Samson."

Ibid., March, 1875, p. 329.

Sanborn, "Life and Letters of John Brown," p. 439.

Sanborn, "Atlantic," July, 1872, pp. 53-4.

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Nine days later Brown went to Boston, where the conspiracy was enlarged and strengthened by the promises and encouragements of a little coterie of radical abolitionists.[1] Within the next two months the funds he desired were contributed and sent him. Meanwhile Brown returned West, and moved his company of recruits from Iowa, by way of Chicago and Detroit, to the town of Chatham, in Canada West, arriving there about the 1st of May. By written invitations, Brown here called together what is described as "a quiet convention of the friends of freedom," to perfect his organization. On the 8th of May, 1858, they held a meeting with closed doors, there being present the original company of ten or eleven white members and one colored, whom Brown had brought with him, and a somewhat miscellaneous gathering of negro residents of Canada. Some sort of promise of secrecy was mutually made; then John Brown, in a speech, laid his plan before the meeting. One Delany, a colored doctor, in a response, promised the assistance of all the colored people in Canada. The provisional constitution drafted by Brown at Rochester was read and adopted by articles, and about forty-five persons signed their names to the "Constitution," for the "proscribed and oppressed races

Realf, Testimony, Mason Report, p. 99.

[1] "Meantime I had communicated his plans at his request to Theodore Parker, Wentworth Higginson, and Dr. Howe, and had given Mr. Stearns some general conception of them. . . No other person in New England except these four was informed by me of the affair, though there were many who knew or suspected Brown's general purpose. . . Brown's first request, in 1858, was for a fund of $1000 only; with this in hand he promised to take the field either in April or May. Mr. Stearns acted as treasurer of this fund, and before the 1st of May nearly the whole amount had been paid in or subscribed."— Frank B. Sanborn, "Atlantic," April, 1875, pp. 456-7.

of the United States." Two days afterwards, the meeting again convened for the election of officers; John Brown was elected commander-in-chief by acclamation; other members were by the same summary method appointed secretary of war, secretary of state, secretary of the treasury, and two of them members of congress. The election of a president was prudently postponed.

This Chatham Convention cannot claim consideration as a serious deliberative proceeding. John Brown was its sole life and voice. The colored Canadians were nothing but spectators. The ten white recruits were mere Kansas adventurers, mostly boys in years and waifs in society, perhaps depending largely for livelihood on the employment or bounty, precarious as it was, of their leader. Upon this reckless, drifting material the strong despotic will, emotional enthusiasm, and mysterious rhapsodical talk of John Brown exercised an irresistible fascination; he drew them by easy gradations into his confidence and conspiracy. The remaining element, John Brown's son in the Chatham meeting, and other sons and relatives in the Harper's Ferry attack, are of course but the long educated instruments of the father's thought and purpose.

With funds provided, with his plan of government accepted, and himself formally appointed commander-in-chief, Brown doubtless thought his campaign about to begin; it was however destined to an unexpected interruption. The discarded and disappointed adventurer Forbes had informed several prominent Republicans in Washington City that Brown was meditating an unlawful

CHAP. XI. enterprise; and the Boston committee, warned that certain arms in Brown's custody, which had been contributed for Kansas defense, were about to be flagrantly misused, dared not incur the public odium of complicity in such a deception and breach of faith. The Chatham organization was scarcely completed when Brown received word from the Boston committee that he must not use the arms (the 200 Sharps rifles and 200 revolvers) which had been intrusted to him for any other purpose than for the defense of Kansas. Brown hurried to Boston; but oral consultation with his friends confirmed the necessity for postponement; and it was arranged that, to lull suspicion, he should return to Kansas and await a more favorable opportunity. He yielded assent, and that fall and winter performed the exploit of leading an armed foray into Missouri, and carrying away eleven slaves to Canada — an achievement which, while to a certain degree it placed him in the attitude of a public outlaw, nevertheless greatly increased his own and his followers' confidence in the success of his general plan. Gradually the various obstacles melted away. Kansas became pacified. The adventurer Forbes faded out of sight and importance. The disputed Sharps rifles and revolvers were transferred from committee to committee, and finally turned over to a private individual to satisfy a debt. He in turn delivered them to Brown without any hampering conditions. The Connecticut blacksmith finished and shipped the thousand pikes. The contributions from the Boston committee swelled from one to several thousands of dollars. The recruits, with a few

Stearns to Brown, May 14, 1858; Howe, Testimony, Mason Report, p. 177.

changes, though scattered in various parts of the country, were generally held to their organization and promise, and slightly increased in number. The provisional constitution and sundry blank commissions were surreptitiously printed, and captains and lieutenants appointed by the signature of John Brown "Commander-in-Chief," countersigned by the "Secretary of War."

Gradually, also, the commander-in-chief resolved on an important modification of his plan: that, instead of plunging at once into the Virginia mountains, he would begin by the capture of the United States armory and arsenal at Harper's Ferry. Two advantages seem to have vaguely suggested themselves to his mind as likely to arise from this course: the possession of a large quantity of Government arms, and the widespread panic and moral influence of so bold an attempt. But it nowhere appears that he had any conception of the increased risk and danger it involved, or that he adopted the slightest precaution to meet them.

Harper's Ferry was a town of five thousand inhabitants, lying between the slave States of Maryland and Virginia, at the confluence of the Potomac and the Shenandoah rivers, where the united streams flow through a picturesque gap in the single mountain-range called the Blue Ridge. The situation possesses none of the elements which would make it a defensible fastness for protracted guerrilla warfare, such as was contemplated in Brown's plan. The mountains are everywhere approachable without difficulty; are pierced by roads and farms in all directions; contain few natural resources for sustenance, defense, or concealment;

CHAP. XI. are easily observed or controlled from the plain by superior forces. The town is irregular, compact, and hilly; a bridge across each stream connects it with the opposite shores, and the Government factory and buildings, which utilized the water-power of the Potomac, lay in the lowest part of the point of land between the streams. The Baltimore and Ohio Railroad crosses the Potomac bridge.

On the 4th of July, 1859, John Brown, under an assumed name, with two sons and another follower, appeared near Harper's Ferry, and soon after rented the Kennedy Farm, in Maryland, five miles from town, where he made a pretense of cattle-dealing and mining; but in reality collected secretly his rifles, revolvers, ammunition, pikes, blankets, tents, and miscellaneous articles for a campaign. His rather eccentric actions, and the irregular coming and going of occasional strangers at his cabin, created no suspicion in the neighborhood. Cautiously increasing his supplies, and gathering his recruits, he appointed the attack for the 24th of October; but for some unexplained reason (fear of treachery, it is vaguely suggested) he precipitated his movement in advance of that date. From this point the occurrences exhibit no foresight or completeness of preparation, no diligent pursuit of an intelligent plan, nor skill to devise momentary expedients; only a blind impulse to act.

On Sunday evening, October 16, 1859, Brown gave his final orders, humanely directing his men to take no life where they could avoid it. Placing a few pikes and other implements in his one-horse wagon, he started with his company of eighteen followers at 8 o'clock in the evening, leaving

five men behind. They cut the telegraph wires on the way, and reached Harper's Ferry about 11 o'clock. He himself broke open the armory gates, took the watchmen prisoners, and made that place his headquarters. Separating his men into small detachments, he took possession of, and attempted to hold, the two bridges, the arsenal, and the rifle-factory. Next he sent six of his men five miles into the country to bring in several prominent slaveowners and their slaves. This was accomplished before daylight, and all were brought as prisoners to Brown at the armory. With them they also brought a large four-horse farm wagon, which he now sent to transfer arms from the Kennedy farm to a school-house on the Maryland side of the Potomac, about one mile from the town.

Meanwhile, about midnight of Sunday, they detained the railroad train three hours, but finally allowed it to proceed. A negro porter was shot on the bridge. The town began to be alarmed. Citizens were captured at various points, and brought to swell the number of prisoners at the armory, counting forty or fifty by morning. Still, not until daylight, and even until the usual hour of rising on Monday morning, did the town comprehend the nature and extent of the trouble.

What, now, did Brown intend to do? What result did he look for from his movement thus far? Amid his conflicting acts and contradictory explanations, the indications seem clear only on two or three points. Both he and his men gave everybody to understand without reserve that they had come not to kill whites, but only to liberate slaves. Soon, also, he placed pikes in the hands of his

CHAP. XI. black prisoners. But that ceremony did not make soldiers of them, as his favorite maxim taught. They held them in their hands with listless indifference, remaining themselves, as before, an incumbrance instead of a reënforcement. He gave his white prisoners notice that he would hold them as hostages, and informed one or two that, after daylight, he would exchange them for slaves. Before the general fighting began, he endeavored to effect an armistice or compromise with the citizens, to stop bloodshed, on condition that he be permitted to hold the armory and retain the liberated negroes. All this warrants the inference that he expected to hold the town, first, by the effect of terror; secondly, by the display of leniency and kindness; and supposed that he could remain indefinitely, and dictate terms at his leisure. The fallacy of this scheme became quickly apparent.

As the day dawned upon the town and the truth upon the citizens, his situation in a military point of view was already hopeless — eighteen men against perhaps 1000 adults, and these eighteen scattered in four or five different squads, without means of mutual support, communication, or even contingent orders! Gradually, as the startled citizens became certain of the insignificant numbers of the assailants, an irregular street-firing broke out between Brown's sentinels and individuals with firearms. The alarm was carried to neighboring towns, and killed and wounded on both sides augmented the excitement. Tradition rather than definite record asserts that some of Brown's lieutenants began to comprehend that they were in a trap, and advised him to retreat. Nearly all his

eulogists have assumed that such was his original plan, and his own subsequent excuses hint at this intention. But the claim is clearly untenable. He had no means of defensive retreat — no provisions, no transportation for his arms and equipage, no supply of ammunition. The suggestion is an evident afterthought.

Whether from choice or necessity, however, he remained only to find himself more and more closely pressed. By Monday noon the squad in the rifle-works, distant one mile from the armory, had been driven out, killed, and captured. The other squads, not so far from their leader, joined him at the armory, minus their losses. Already he was driven to take refuge with his diminished force in the engine-house, a low, strong brick building in the armory yard, where they barricaded doors and improvised loop-holes, and into which they took with them ten selected prisoners as hostages. But the expedient was one of desperation. By this movement Brown literally shut himself up in his own prison, from which escape was impossible.

A desultory fire was kept up through doors and loop-holes. But now the whole country had become thoroughly aroused, and sundry military companies from neighboring towns and counties poured into Harper's Ferry. Brown himself at length realized the hopelessness of his position, and parleyed for leave to retreat across the river on condition of his giving up his prisoners; but it was too late. President Buchanan also took prompt measures; and on Monday night a detachment of eighty marines from the Washington navy-

CHAP. XI. yard, under command of Brevet Colonel Robert E. Lee, of the United States army, the same who afterwards became the principal leader of the Confederate armies in the rebellion, reached the scene of action, and were stationed in the armory yard so as to cut off the insurgents from all retreat. At daylight on Tuesday morning Brown was summoned to surrender at discretion, but he refused. The instant the officer left the engine-house a storming-party of marines battered in the doors; in five minutes the conflict was over. One marine was shot dead in the assault; Brown fell under severe sword and bayonet wounds, two of his sons lay dead or dying, and four or five of his men were made prisoners, only two remaining unhurt. The great scheme of liberation built up through nearly three years of elaborate conspiracy, and designed to be executed in defiance of law, by individual enterprise with pikes, rifles, forts, guerrilla war, prisoners, hostages, and plunder, was, after an experimental campaign of thirty-six hours, in utter collapse. Of Brown's total force of twenty-two men, ten were killed, five escaped, and seven were captured, tried, and hanged. Of the townspeople, five had been killed and eight wounded.

While John Brown's ability for military leadership was too insignificant even for comment, his moral and personal courage compelled the admiration of his enemies. Arraigned before a Virginia court, the authorities hurried through his trial for treason, conspiracy, and murder, with an unseemly precipitancy, almost calculated to make him seem the accuser, and the commonwealth the trembling culprit. He acknowledged his acts with

HOUSE IN WHICH JOHN BROWN WAS BORN, TORRINGTON, CONNECTICUT.

frankness, defended his purpose with a sincerity that betokened honest conviction, bore his wounds and met his fate with a manly fortitude. Eight years before, he had written, in a document organizing a band of colored people in Springfield, Massachusetts, to resist the fugitive-slave law: "Nothing so charms the American people as personal bravery. The trial for life of one bold, and to some extent successful, man, for defending his rights in good earnest, would arouse more sympathy throughout the nation than the accumulated wrongs and sufferings of more than three millions of our submissive colored population." Even now, when mere Quixotic knight-errantry and his own positive violation of the rights of individuals and society had put his life in forfeit, this sympathy for his boldness and misfortune came to him in large measure. Questioned by Governor Wise, Senator Mason, and Representative Vallandigham about his accomplices, he refused to say anything except about what he had done, and freely took upon himself the whole responsibility. He was so warped by his religious training as to have become a fatalist as well as a fanatic. "All our actions," he said to one who visited him in prison, "even all the follies that led to this disaster, were decreed to happen ages before the world was made." Perverted Calvinistic philosophy is the key which unlocks the mystery of Brown's life and deeds.

Sanborn in the "Atlantic," Dec. 1875, p. 718.

He was convicted, sentenced, and hanged on the 2d of December. Congress met a few days afterwards, and the Senate appointed an investigating committee to inquire into the seizure of the United States armory and arsenal. The long and search-

CHAP. XI. ing examination of many witnesses brought out with sufficient distinctness the varied personal plottings of Brown, but failed to reveal that half a dozen radical abolition clergymen of Boston were party to the conspiracy; nor did they then or afterwards justify their own conduct by showing that Christ ever counseled treason, abetted conspiracy, or led rebellion against established government. From beginning to end, the whole act was reprehensible, and fraught with evil result. Modern civilization and republican government require that beyond the self-defense necessary to the protection of life and limb, all coercive reform shall act by authority of law only.

Upon politics the main effect of the Harper's Ferry incident was to aggravate the temper and increase the bitterness of all parties. Jefferson Davis, of Mississippi; Mason, of Virginia; and Fitch, of Indiana, Democratic members of the Senate investigating committee, sought diligently but unsuccessfully to find grounds to hold the Republican party at large responsible for Brown's raid. They felt obliged to report that they could not recommend any legislation to meet similar cases in the future, since the "invasion" of Virginia was not of the kind mentioned in the Constitution, but was "simply the act of lawless ruffians, under the sanction of no public or political authority." Collamer, of Vermont, and Doolittle, of Wisconsin, Republican members of the committee, in their minority report, considered the affair an outgrowth of the pro-slavery lawlessness in Kansas. Senator Douglas, of Illinois, however, apparently with the object of still further setting himself right

Mason Report, p. 18.

with the South, and atoning for his Freeport heresy, made a long speech in advocacy of a law to punish conspiracies in one State or Territory against the government, people, or property of another; once more quoting Lincoln's Springfield speech, and Seward's Rochester speech as containing revolutionary doctrines.

In the country at large, as in Congress, the John Brown raid excited bitter discussion and radically diverse comment — some execrating him as a deservedly punished felon, while others exalted him as a saint. His Boston friends particularly, who had encouraged him with voice or money, were extravagant in their demonstrations of approval and admiration. On the day of his execution religious services were held, and funeral bells were tolled. "The road to heaven," said Theodore Parker, "is as short from the gallows as from a throne; perhaps, also, as easy." "Some eighteen hundred years ago," said Thoreau, "Christ was crucified; this morning, perchance, Captain Brown was hung. These are the two ends of a chain which is not without its links." Emerson, using a yet stronger figure, had already called him "a new saint, waiting yet his martyrdom, and who, if he shall suffer, will make the gallows glorious like the cross."

Dec. 2, 1859.

James Redpath, "Echoes of Harper's Ferry," p. 41.

George Willis Cooke, "Life of Emerson," p. 140.

Amid this conflict of argument, public opinion in the free States gravitated to neither extreme. It accepted neither the declaration of the great orator Wendell Phillips, that "the lesson of the hour is insurrection," nor the assertion of the great lawyer Charles O'Conor, that slavery "is in its own nature, as an institution, beneficial to both races."

Lecture at Brooklyn, November 1, 1859. "Echoes of Harper's Ferry," p. 43.

Letter to Committee of Merchants, December 20, 1859. Ibid., p. 299.

CHAP. XI. This chapter would be incomplete if we neglected to quote Mr. Lincoln's opinion of the Harper's Ferry attempt. His quiet and common-sense criticism of the affair, pronounced a few months after its occurrence, was substantially the conclusion to which the average public judgment has come after the lapse of a quarter of a century:

> Slave insurrections are no more common now than they were before the Republican party was organized. What induced the Southampton insurrection, twenty-eight years ago, in which at least three times as many lives were lost as at Harper's Ferry? You can scarcely stretch your very elastic fancy to the conclusion that Southampton was "got up by Black Republicanism." In the present state of things in the United States, I do not think a general or even a very extensive slave insurrection is possible. The indispensable concert of action cannot be attained. The slaves have no means of rapid communication; nor can incendiary freemen, black or white, supply it. The explosive materials are everywhere in parcels; but there neither are nor can be supplied the indispensable connecting trains.
>
> Much is said by Southern people about the affection of slaves for their masters and mistresses; and a part of it, at least, is true. A plot for an uprising could scarcely be devised and communicated to twenty individuals before some one of them, to save the life of a favorite master or mistress, would divulge it. This is the rule; and the slave revolution in Hayti was not an exception to it, but a case occurring under peculiar circumstances. The gunpowder plot of British history, though not connected with slaves, was more in point. In that case, only about twenty were admitted to the secret; and yet one of them, in his anxiety to save a friend, betrayed the plot to that friend, and, by consequence, averted the calamity. Occasional poisonings from the kitchen, and open or stealthy assassinations in the field, and local revolts extending to a score or so, will continue to occur as the natural results of slavery; but no general insurrection

of slaves, as I think, can happen in this country for a long time. Whoever much fears or much hopes for such an event will be alike disappointed. . .

John Brown's effort was peculiar. It was not a slave insurrection. It was an attempt by white men to get up a revolt among slaves, in which the slaves refused to participate. In fact, it was so absurd that the slaves, with all their ignorance, saw plainly enough it could not succeed. That affair, in its philosophy, corresponds with the many attempts related in history, at the assassination of kings and emperors. An enthusiast broods over the oppression of a people till he fancies himself commissioned by Heaven to liberate them. He ventures the attempt, which ends in little else than his own execution. Orsini's attempt on Louis Napoleon, and John Brown's attempt at Harper's Ferry were, in their philosophy, precisely the same. The eagerness to cast blame on old England in the one case, and on New England in the other, does not disprove the sameness of the two things.

Lincoln, Cooper Institute Speech, Feb. 27, 1860.

The aggravation of partisan temper over the Harper's Ferry incident found a manifestation in a contest over the Speakership in the House of Representatives as prolonged and bitter as that which attended the election of Banks. In the Congressional elections of 1858, following the Lecompton controversy, the Democrats had once more lost control of the House of Representatives; there having been chosen 113 Republicans, 93 Administration Democrats, 8 anti-Lecompton Democrats, and 23 South Americans, as they were called; that is, members, mainly from the slave States, opposed to the Administration.

"Tribune Almanac," 1860.

This Thirty-sixth Congress began its session three days after the execution of John Brown, and the election of a Speaker was the first work of the new House of Representatives. The Republicans, not having a majority, made no caucus

CHAP. XI. nomination; but John Sherman, of Ohio, had the largest following on the first ballot, and thereafter received their united efforts to elect him. At this point a Missouri member introduced a resolution declaring: "That the doctrines and sentiments of a certain book called 'The Impending Crisis of the South — How to Meet It,' purporting to have been written by one Hinton R. Helper [of North Carolina], are insurrectionary and hostile to the domestic peace and tranquillity of the country, and that no member of this House who has indorsed and recommended it, or the compend from it, is fit to be Speaker of this House."

"Globe," December 5, 1859, p. 3.

This resolution was aimed at Sherman, who with some seventy Republicans of the previous Congress had signed a circular indorsing and recommending the book upon the general statement that it was an antislavery work, written by a Southerner. The book addressed itself to non-slaveholding Southern whites, and was mainly made up of statistics, but contained occasional passages of intolerant and vindictive sentiment against slaveholders. Whether it could be considered "insurrectionary" depended altogether on the pro-slavery or antislavery bias of the critic. Besides, the author had agreed that the obnoxious passages should not be printed in the compendium which the Republicans recommended in their circular. When interrogated, Mr. Sherman replied that he had never seen the book, and that "I am opposed to any interference whatever by the people of the free States with the relations of master and slave in the slave States." But the disavowal did not relieve him from Southern enmity. The fire-eaters

seized the pretext to charge him with all manner of "abolition" intentions, and by violent debate and the utterance of threats of disunion made the House a parliamentary and almost a revolutionary babel for nearly two months. Certain appropriations were exhausted, and the treasury was in great need of funds. Efforts were made to adopt the plurality rule, and to choose a Speaker for a limited period; but every such movement was resisted for the purpose of defeating Sherman, or rather, through his defeat to force the North into unconditional submission to extreme pro-slavery sentiment. The struggle, nominally over an incident, was in reality over a policy.

On January 30, 1860, Mr. Sherman withdrew his name, and the solid Republican vote was given to William Pennington, of New Jersey, another Republican, who, on February 1, was elected Speaker by 117 votes, 4 opposing members having come to his support. The South gained nothing by the obstructionist policy of its members. During the long contest, extending through forty-four ballots, their votes were scattered among many candidates of different factions, while the Republicans maintained an almost unbroken steadiness of party discipline. On the whole, the principal results of the struggle were, to sectionalize parties more completely, ripen Southern sentiment towards secession, and combine wavering voters in the free States in support of Republican doctrines.

CHAPTER XII

LINCOLN'S COOPER INSTITUTE SPEECH

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AMONG the many invitations to deliver addresses which Lincoln received in the fall of 1859, was one from a committee asking him to lecture in Plymouth Church, Brooklyn, in a course then in progress there, designed for popular entertainment. "I wrote," said Lincoln, "that I could do it in February, provided they would take a political speech, if I could find time to get up no other." "Your letter was duly received and handed over to the committee," was the response, "and they accept your compromise. You may lecture at the time you mention, and they will pay you $200. I think they will arrange for a lecture in New York also, and pay you $200 for that."

Lincoln to McNeill, April 6, 1860. Lamon, "Life of Lincoln," p. 441.

Jas. A. Briggs to Lincoln, November 1, 1859. MS. Jas. A Briggs in New York "Evening Post," August 16, 1867.

Financial obstacles, or other reasons, brought about the transfer of the engagement to a new committee, and the invitation was repeated in a new form: "The Young Men's Central Republican Union of this city [New York] very earnestly desire that you should deliver what I may term a political lecture during the ensuing month. The peculiarities of the case are these: A series of lectures has been determined upon. The first was delivered by Mr. Blair, of St. Louis, a short time

ago; the second will be in a few days, by Mr. Cassius M. Clay, and the third we would prefer to have from you rather than any other person. Of the audience I should add that it is not that of an ordinary political meeting. These lectures have been contrived to call out our better, but busier citizens, who never attend political meetings. A large part of the audience will consist of ladies." CHAP. XII.

C. C. Nott to Lincoln, February 9, 1860. MS.

Lincoln, however, remained under the impression that the lecture was to be given in Brooklyn, and only learned after he reached New York to fulfill his engagement that he was to speak in the Cooper Institute. When, on the evening of February 27, 1860, he stood before his audience, he saw not only a well-filled house, but an assemblage of listeners in which were many whom, by reason of his own modest estimate of himself, he would have been rather inclined to ask advice from than to offer instruction to. William Cullen Bryant presided over the meeting; David Dudley Field escorted the speaker to the platform; ex-Governor John A. King, Horace Greeley, James W. Nye, James A. Briggs, Cephas Brainerd, Charles C. Nott, Hiram Barney, and others sat among the invited guests. "Since the days of Clay and Webster," said the "Tribune" next morning, "no man has spoken to a larger assemblage of the intellect and mental culture of our city." Of course the presence of such a gathering was no mere accident. Not only had Lincoln's name for nearly two years found constant mention in the newspapers, but both friendly and hostile comment had coupled it with the two ranking political leaders in the free States — Seward and Douglas. The representative men of New York

Lincoln to McNeill, April 6, 1860. Lamon, "Life of Lincoln," p. 441.

CHAP. XII. were naturally eager to see and hear one who, by whatever force of eloquence or argument, had attracted so large a share of the public attention. We may also fairly infer that, on his part, Lincoln was no less curious to test the effect of his words on an audience more learned and critical than those collected in the open-air meetings of his Western campaigns. This mutual interest was an evident advantage to both; it secured a close attention from the house, and insured deliberation and emphasis by the speaker, enabling him to develop his argument with perfect precision and unity, reaching perhaps the happiest general effect ever attained in any one of his long addresses.

He took as his text a phrase uttered by Senator Douglas in the late Ohio campaign — "Our fathers, when they framed the government under which we live, understood this question just as well, and even better than we do now." Lincoln defined "this question," with a lawyer's exactness, thus:

> Does the proper division of local from Federal authority, or anything in the Constitution, forbid our Federal Government to control as to slavery in our Federal Territories? Upon this Senator Douglas holds the affirmative, and the Republicans the negative. This affirmation and denial form an issue, and this issue — this question — is precisely what the text declares our fathers understood "better than we."

From this "precise and agreed starting-point" Lincoln next traced with minute historical analysis the action of "our fathers" in framing "the government under which we live," by their votes and declarations in the Congresses which preceded the Constitution and in the Congresses following which

proposed its twelve amendments and enacted various Territorial prohibitions. His conclusions were irresistibly convincing.

The sum of the whole is [said he] that of our thirty-nine fathers who framed the original Constitution, twenty-one — a clear majority of the whole — certainly understood that no proper division of local from Federal authority, nor any part of the Constitution, forbade the Federal Government to control as to slavery in the Federal Territories; while all the rest probably had the same understanding. Such unquestionably was the understanding of our fathers who framed the original Constitution; and the text affirms that they understood the question "better than we.". . It is surely safe to assume that the thirty-nine framers of the original Constitution and the seventy-six members of the Congress which framed the amendments thereto, taken together, do certainly include those who may be fairly called "our fathers who framed the Government under which we live." And so assuming, I defy any man to show that any one of them ever, in his whole life, declared that in his understanding any proper division of local from Federal authority, or any part of the Constitution, forbade the Federal Government to control as to slavery in the Federal Territories. I go a step further. I defy any one to show that any living man in the whole world ever did, prior to the beginning of the present century (and I might almost say prior to the beginning of the last half of the present century), declare that in his understanding any proper division of local from Federal authority, or any part of the Constitution, forbade the Federal Government to control as to slavery in the Federal Territories. To those who now so declare, I give, not only "our fathers who framed the government under which we live," but with them all other living men within the century in which it was framed, among whom to search, and they shall not be able to find the evidence of a single man agreeing with them.

Now, and here, let me guard a little against being misunderstood. I do not mean to say we are bound to

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follow implicitly in whatever our fathers did. To do so would be to discard all the lights of current experience — to reject all progress, all improvement. What I do say is, that if we would supplant the opinions and policy of our fathers in any case, we should do so upon evidence so conclusive, and argument so clear, that even their great authority, fairly considered and weighed, cannot stand; and most surely not in a case, whereof we ourselves declare they understood the question better than we.

If any part of the audience came with the expectation of hearing the rhetorical fire-works of a Western stump-speaker of the "half-horse, half-alligator" variety, they met novelty of an unlooked for kind. In Lincoln's entire address he neither introduced an anecdote nor essayed a witticism; and the first half of it does not contain even an illustrative figure or a poetical fancy. It was the quiet, searching exposition of the historian, and the terse, compact reasoning of the statesman, about an abstract principle of legislation, in language well-nigh as restrained and colorless as he would have employed in arguing a case before a court. Yet such was the apt choice of words, the easy precision of sentences, the simple strength of propositions, the fairness of every point he assumed, and the force of every conclusion he drew, that his listeners followed him with the interest and delight a child feels in its easy mastery of a plain sum in arithmetic.

With the sympathy and confidence of his audience thus enlisted, Lincoln next took up the more prominent topics in popular thought, and by words of kindly admonition and protest addressed to the people of the South, showed how impatiently, unreasonably, and unjustly they were charging the

Republican party with sectionalism, with radical- CHAP. XII.
ism, with revolutionary purpose, with the John Brown raid, and kindred political offenses, not only in the absence of any acts to justify such charges, but even in the face of its emphatic and constant denials and disavowals. The illustration with which he concluded this branch of his theme could not well be surpassed in argumentative force.

But you will not abide the election of a Republican President! In that supposed event, you say, you will destroy the Union; and then you say, the great crime of having destroyed it will be upon us! That is cool. A highwayman holds a pistol to my ear, and mutters through his teeth, "Stand and deliver, or I shall kill you, and then you will be a murderer!" To be sure what the robber demanded of me — my money — was my own; and I had a clear right to keep it; but it was no more my own than my vote is my own; and the threat of death to me to extort my money, and the threat of destruction to the Union to extort my vote, can scarcely be distinguished in principle.

But the most impressive, as well as the most valuable, feature of Lincoln's address was its concluding portion, where, in advice directed especially to Republicans, he pointed out in dispassionate but earnest language that the real, underlying conflict was in the difference of moral conviction between the sections as to the inherent right or wrong of slavery, and in view of which he defined the proper duty of the free States.

A few words now [said he] to Republicans. It is exceedingly desirable that all parts of this great Confederacy shall be at peace and in harmony one with another. Let us Republicans do our part to have it so. Even though much provoked, let us do nothing through passion and ill temper. Even though the Southern people will not so much as listen to us, let us calmly con-

CHAP. XII. sider their demands, and yield to them if, in our deliberate view of our duty, we possibly can. Judging by all they say and do, and by the subject and nature of their controversy with us, let us determine, if we can, what will satisfy them.

Will they be satisfied if the Territories be unconditionally surrendered to them? We know they will not. In all their present complaints against us the Territories are scarcely mentioned. Invasions and insurrections are the rage now. Will it satisfy them if, in the future, we have nothing to do with invasions and insurrections? We know it will not. We so know, because we know we never had anything to do with invasions and insurrections; and yet this total abstaining does not exempt us from the charge and the denunciation.

The question recurs, What will satisfy them? Simply this: We must not only let them alone, but we must, somehow, convince them that we do let them alone. This, we know by experience, is no easy task. We have been so trying to convince them from the very beginning of our organization, but with no success. In all our platforms and speeches we have constantly protested our purpose to let them alone; but this has had no tendency to convince them. Alike unavailing to convince them is the fact that they have never detected a man of us in any attempt to disturb them.

These natural and apparently adequate means all failing, what will convince them? This, and this only: cease to call slavery wrong, and join them in calling it right. And this must be done thoroughly—done in acts as well as in words. Silence will not be tolerated; we must place ourselves avowedly with them. Senator Douglas's new sedition law must be enacted and enforced, suppressing all declarations that slavery is wrong, whether made in politics, in presses, in pulpits, or in private. We must arrest and return their fugitive slaves with greedy pleasure. We must pull down our free-State constitutions. The whole atmosphere must be disinfected from all taint of opposition to slavery before they will cease to believe that all their troubles proceed from us.

I am quite aware they do not state their case precisely in this way. Most of them would probably say to us,

"Let us alone, do nothing to us, and say what you please about slavery." But we do let them alone — have never disturbed them; so that, after all, it is what we say which dissatisfies them. They will continue to accuse us of doing until we cease saying. CHAP. XII.

I am also aware they have not, as yet, in terms, demanded the overthrow of our free-State constitutions. Yet those constitutions declare the wrong of slavery, with more solemn emphasis than do all other sayings against it, and when all these other sayings shall have been silenced, the overthrow of these constitutions will be demanded and nothing be left to resist the demand. It is nothing to the contrary that they do not demand the whole of this just now. Demanding what they do, and for the reason they do, they can voluntarily stop nowhere short of this consummation. Holding, as they do, that slavery is morally right, and socially elevating, they cannot cease to demand a full national recognition of it, as a legal right and a social blessing.

Nor can we justifiably withhold this on any ground, save our conviction that slavery is wrong. If slavery is right, all words, acts, laws, and constitutions against it are themselves wrong, and should be silenced and swept away. If it is right, we cannot justly object to its nationality — its universality! if it is wrong, they cannot justly insist upon its extension — its enlargement. All they ask we could readily grant, if we thought slavery right; all we ask they could as readily grant, if they thought it wrong. Their thinking it right, and our thinking it wrong, is the precise fact upon which depends the whole controversy. Thinking it right, as they do, they are not to blame for desiring its full recognition, as being right; but thinking it wrong, as we do, can we yield to them? Can we cast our votes with their view and against our own? In view of our moral, social, and political responsibilities, can we do this?

Wrong as we think slavery is, we can yet afford to let it alone where it is, because that much is due to the necessity arising from its actual presence in the nation; but can we, while our votes will prevent it, allow it to spread into the national Territories, and to overrun us here in the free States? If our sense of duty forbids

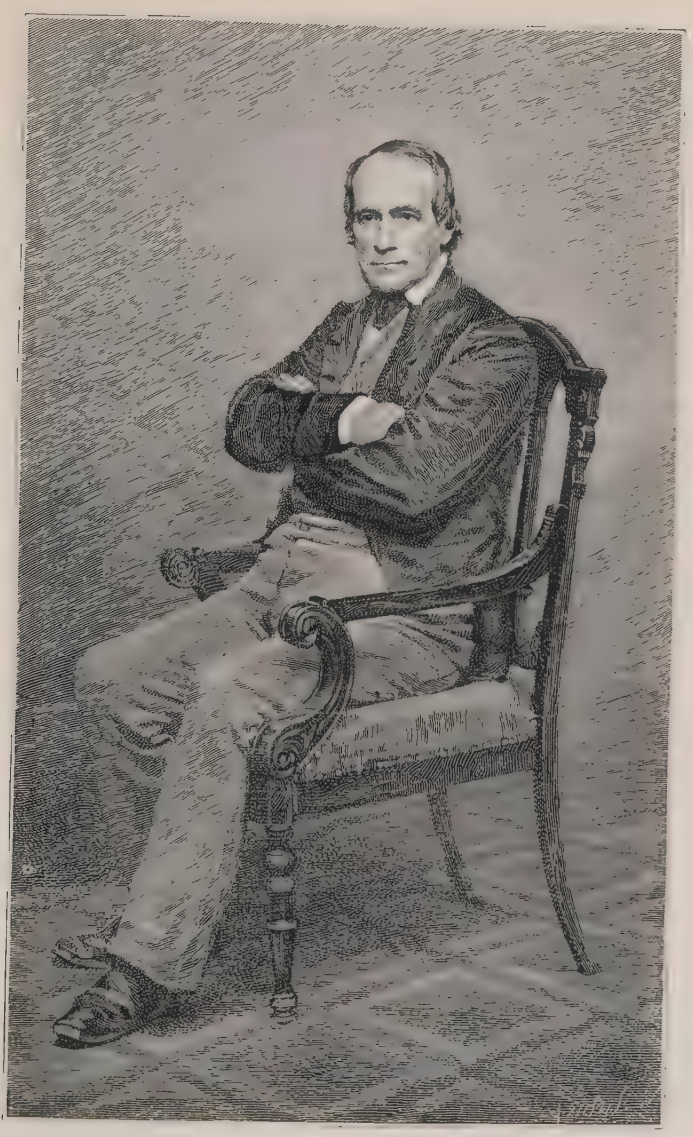
CHAP. XII

this, then let us stand by our duty, fearlessly and effectively. Let us be diverted by none of those sophistical contrivances wherewith we are so industriously plied and belabored, contrivances such as groping for some middle ground between the right and the wrong, vain as the search for a man who should be neither a living man nor a dead man, such as a policy of "don't care," on a question about which all true men do care, such as Union appeals beseeching true Union men to yield to Disunionists; reversing the divine rule, and calling, not the sinners, but the righteous to repentance; such as invocations to Washington, imploring men to unsay what Washington said, and undo what Washington did.

Neither let us be slandered from our duty by false accusations against us, nor frightened from it by menaces of destruction to the Government nor of dungeons to ourselves. Let us have faith that right makes might, and in that faith, let us, to the end, dare to do our duty as we understand it.

The smiles, the laughter, the outburst of applause which greeted and emphasized the speaker's telling points, showed Mr. Lincoln that his arguments met ready acceptance. The next morning the four leading New York dailies printed the speech in full, and bore warm testimony to its merit and effect. "Mr. Lincoln is one of nature's orators," said the "Tribune," "using his rare powers solely to elucidate and convince, though their inevitable effect is to delight and electrify as well. We present herewith a very full and accurate report of this speech; yet the tones, the gestures, the kindling eye, and the mirth-provoking look defy the reporter's skill. The vast assemblage frequently rang with cheers and shouts of applause, which were prolonged and intensified at the close. No man ever before made such an impression on his first appeal to a New York audience."

"New York Tribune," February 28, 1860.



CALEB CUSHING.

A pamphlet reprint was at once announced by the same paper; and later, in the Presidential campaign, a more careful edition was prepared and circulated, to which were added copious notes by two members of the committee under whose auspices the address was delivered. Their comment, printed in the preface, is worth quoting as showing its literary value under critical analysis. "No one who has not actually attempted to verify its details can understand the patient research and historical labor which it embodies. The history of our earlier politics is scattered through numerous journals, statutes, pamphlets, and letters; and these are defective in completeness and accuracy of statement, and in indices and tables of contents. Neither can any one who has not traveled over this precise ground appreciate the accuracy of every trivial detail, or the self-denying impartiality with which Mr. Lincoln has turned from the testimony of 'the fathers' on the general question of slavery, to present the single question which he discusses. From the first line to the last, from his premises to his conclusion, he travels with a swift, unerring directness which no logician ever excelled, an argument complete and full, without the affectation of learning, and without the stiffness which usually accompanies dates and details. A single, easy, simple sentence of plain Anglo-Saxon words, contains a chapter of history that, in some instances, has taken days of labor to verify, and which must have cost the author months of investigation to acquire." CHAP. XII.

Pamphlet edition with notes and preface by Charles C. Nott and Cephas Brainerd, September, 1860.

From New York Lincoln went to fill other engagements to speak at several places in New

CHAP. XII. England, where he met the same enthusiastic popular reception and left the same marked impression, especially upon his more critical and learned hearers. They found no little surprise in the fact that a Western politician, springing from the class of unlettered frontiersmen, could not only mold plain strong words into fresh and attractive phraseology, but maintain a clear, sustained, convincing argument, equal in force and style to the best examples in their college text-books.

CHAPTER XIII

THE CHARLESTON CONVENTION

THE great political struggle between the North and the South, between Freedom and Slavery, was approaching its culmination. The "irrepressible conflict" had shifted uneasily from caucus to Congress; from Congress to Kansas; incidentally to the Supreme Court and to the Congressional elections in the various States; from Kansas it had come back with renewed intensity to Congress. The next stage of development through which it was destined to pass was the Presidential election of 1860, where, necessarily, the final result would depend largely upon the attitude and relation of parties, platforms, and candidates as selected and proclaimed by their National conventions.

The first of these National conventions was that of the Democratic party, long appointed to meet at Charleston, South Carolina, on April 23, 1860. The fortunes of the party had greatly fluctuated. The repeal of the Missouri Compromise had brought it shipwreck in 1854; it had regained victory in the election of Buchanan, and a majority of the House of Representatives in 1856; then the Lecompton imbroglio once more caused its defeat in the Congressional elections of 1858. But worse than the

CHAP. XIII. victory of its opponents was the irreconcilable schism in its own ranks—the open war between President Buchanan and Senator Douglas. In a general way the Southern Democracy followed Buchanan, while the Northern Democracy followed Douglas. Yet there was just enough local exception to baffle accurate calculation. Could the Charleston Convention heal the feud of leaders, and bridge the chasm in policy and principle? As the time approached, and delegation after delegation was chosen by the States, all hope of accommodation gradually disappeared. Each faction put forth its utmost efforts, rallied its strongest men. Each caucus and convention only accentuated and deepened existing differences. When the convention met, its members brought not the ordinary tricks and expedients of politicians with *carte blanche* authority, but the precise formulated terms to which their constituencies would consent. They were only messengers, not arbitrators. The Charleston Convention was the very opposite of its immediate predecessor, the Cincinnati Convention. At Cincinnati, concealment and ambiguity had been the central thought and purpose. Everybody was anxious to be hoodwinked. Delegates, constituencies, and leaders had willingly joined in the game of "cheat and be cheated." Availability, harmony, party success, were the paramount objects.

No similar ambiguity, concealment, or bargain was possible at Charleston. There was indeed a whole brood of collateral issues to be left in convenient obscurity, but the central questions must not be shirked. The Lecompton quarrel, the Freeport doctrine, the property theory, the "slave-

State" dogma, the Congressional slave code proposal, must be boldly met and squarely adjusted. Even if the delegates had been disposed to trifle with their constituents, the leaders themselves would tolerate no evasion on certain cardinal points. Douglas, in his Dorr letter, had announced that he would suffer no interpolation of new issues into the Democratic creed. In his pamphlet reply to Judge Black he repeated his determination with emphasis. "Suppose it were true that I am a Presidential aspirant; does that fact justify a combination by a host of other Presidential aspirants, each of whom may imagine that his success depends upon my destruction, and the preaching a crusade against me for boldly avowing now the same principles to which they and I were pledged at the last Presidential election? Is this a sufficient excuse for devising a new test of political orthodoxy? . . . I prefer the position of Senator or even that of a private citizen, where I would be at liberty to defend and maintain the well-defined principles of the Democratic party, to accepting a Presidential nomination upon a platform incompatible with the principle of self-government in the Territories, or the reserved rights of the States, or the perpetuity of the Union under the Constitution." CHAP. XIII.

Douglas, Reply to Black. Pamphlet, Oct., 1859.

This declaration very clearly defined the issue on one side. On the other side it was also formulated with equal distinctness. Jefferson Davis, already recognized as the ablest leader of the Buchanan wing of the Democratic Senators, wrote and submitted to the United States Senate, on February 2, 1860, a series of resolutions designed to consti- "Globe," p. 658.

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tute the Administration or Southern party doctrines, which were afterwards revised and adopted by a caucus of Democratic Senators. These resolutions expressed the usual party tenets; and on two of the controverted points asserted dogmatically exactly that which Douglas had stigmatized as an intolerable heresy. The fourth resolution declared "That neither Congress nor a Territorial Legislature, whether by direct legislation or legislation of an indirect and unfriendly character, possesses power to annul or impair the constitutional right of any citizen of the United States to take his slave property into the common Territories, and there hold and enjoy the same while the Territorial condition remains." While the fifth resolution declared "That if experience should at any time prove that the judiciary and executive authority do not possess means to insure adequate protection to constitutional rights in a Territory, and if the Territorial government shall fail or refuse to provide the necessary remedies for that purpose, it will be the duty of Congress to supply such deficiency."

Jefferson Davis, Senate Speech, "Globe," May 17, 1860, p. 2155.

"Globe," March 1, 1860, p. 935.

Party discipline was so strong among the Democrats that public expectation looked confidently to at least a temporary agreement or combination which would enable the factions, by a joint effort, to make a hopeful Presidential campaign. But no progress whatever was made in that direction. As the clans gathered at Charleston, the notable difference developed itself, that while one wing was filled with unbounded enthusiasm for a candidate, the other was animated by an earnest and stubborn devotion to an idea.

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"Douglas was the pivot individual of the Charleston Convention," wrote an observant journalist; "every delegate was for or against him; every motion meant to nominate or not nominate him; every parliamentary war was *pro* or *con* Douglas." This was the surface indication, and, indeed, it may be said with truth, it was the actual feeling of the Northern faction of the Democratic party. Douglas was a genuinely popular leader. He had the power to inspire a pure personal enthusiasm. He had aroused such hero-worship as may be possible in modern times and in American politics. Beyond this, however, the Lecompton controversy, and his open persecution by the Buchanan Administration, made his leadership and his candidacy a necessity to the Northern Democrats.

Murat Halstead, "Conventions of 1860."

With Southern Democrats the feeling went somewhat deeper. Forgetting how much they owed him in the past, and how much they might still gain through him in the future, they saw only that he was now their stumbling-block, the present obstacle to their full and final success. It was the Douglas doctrine, squatter sovereignty, and "unfriendly legislation," rather than the *man*, which they had come to oppose, and were determined to put down. Any other individual holding these heresies would have been equally obnoxious. They had no candidate of their own; they worshiped no single leader; but they followed a principle with unfaltering devotion. They clung unswervingly not only to the property theory, but advanced boldly to its logical sequence — Congressional protection to slavery in the Territories.

Of the convention's preliminary work little is

CHAP. XIII. worth recording — there were the clamor and protest of contesting delegations and small fire of parliamentary skirmishes, by which factions feel and measure each other's strength. Caleb Cushing was made permanent chairman, for the triple reason that he was from Massachusetts, that he was the ablest presiding officer in the body, and was for the moment filled with blind devotion to Southern views. The actual temper of the convention was made manifest by the ready agreement of both extremes to join battle in making the platform before proceeding to the nomination of candidates. The usual committee of one member from each State was appointed, and to it was referred the deluge of resolutions which had been showered upon the convention.

Had an amicable solution of the slavery issue been possible, this platform committee would have found it, for it labored faithfully to accomplish the miracle. But after three days and nights of fruitless suggestion and persuasion, the committee reappeared in convention. Upon four points they had come to either entire or substantial agreement. In addition to re-affirming formally the Cincinnati platform of 1856, they advised the convention to favor, 1. The faithful execution of the fugitive-slave law. 2. The protection of naturalized citizens. 3. The construction of a Pacific railroad. 4. The acquisition of the Island of Cuba. But upon the principal topic, the question of slavery in the Territories, they felt compelled to report that even an approximate unanimity was impossible. In undisguised sorrow they proceeded to present two radically different reports. The

convention, not yet in the least realizing that the great Democratic party had suffered fatal shipwreck in the secret committee-room, listened eagerly to the reports and explanatory speeches of the majority and minority of the committee. CHAP. XIII

The majority report[1] planted itself squarely upon the property theory and Congressional protection. Mr. Avery, of North Carolina, said it was presented in the name of 17 States with 127 electoral votes, every one of which would be cast for the nominee. He argued that in occupying new Territories Southern men could not compete with emigrant-aid societies at the North. These could send a voter to the Territories for the sum of $200, while it would cost a Southern man $1500. Secure political power by emigration, and permit the Territorial Legislatures to decide the slavery question, and the South would be excluded as effectually as by the Wilmot proviso. Cuba must be acquired, and the flag of this great country must float over Mexico and the Central American States. But if you apply this doctrine of popular sovereignty, and establish a cordon of free States from the Pacific to the Atlantic, where in the future are

MAJORITY REPORT.

"Resolved, That the platform adopted at Cincinnati be affirmed, with the following resolutions:

"Resolved, That the Democracy of the United States hold these cardinal principles on the subject of slavery in the Territories: First. That Congress has no power to abolish slavery in the Territories. Second. That the Territorial Legislature has no power to abolish slavery in any Territory, nor to prohibit the introduction of slaves therein, nor any power to exclude slavery therefrom, nor any power to destroy or impair the right of property in slaves by any legislation whatever. . .

"Resolved, That it is the duty of the Federal Government to protect, when necessary, the rights of persons and property on the high seas, in the Territories, or wherever else its constitutional authority extends."

CHAP. XIII. the South to emigrate? They asked the equal right to emigrate with their property, and protection from Congress during the Territorial condition. They would leave it to the people in convention assembled, when framing a State constitution, to determine the question of slavery for themselves. They had no purpose but to have a vexed question settled, and to put the Democratic party on a clear unclouded platform, not a doubled-faced one — one face to the North and one face to the South.

Henry B. Payne, of Ohio, presented and defended the report of the minority.[1] It asserted that all questions in regard to property in States or Territories were judicial in their character, and that the Democratic party would abide by past and future decisions of the Supreme Court concerning them. Mr. Payne explained that while the majority report was supported by 15 slave and two free States,[2] representing 127 electoral votes, the minority report was indorsed by 15 free States,[3]

[1] MINORITY REPORT.

"Resolved, That we, the Democracy of the Union, in convention assembled, hereby declare our affirmance of the resolutions unanimously adopted and declared as a platform of principles by the Democratic Convention at Cincinnati in the year 1856, believing that Democratic principles are unchangeable in their nature when applied to the same subject-matters; and we recommend, as the only further resolutions, the following:

"Resolved, That all questions in regard to the rights of property in States or Territories arising under the Constitution of the United States are judicial in their character, and the Democratic party is pledged to abide by and faithfully carry out such determination of these questions as has been, or may be made by the Supreme Court of the United States."

[2] Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Louisiana, Mississippi, Texas, Arkansas, Missouri, Tennessee, Kentucky, California, Oregon.

[3] Maine, New Hampshire, Vermont, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Ohio, Indiana, Illinois, Michigan, Wisconsin, Iowa, Minnesota, and Massachusetts. As

representing 176 electoral votes. He argued that, by the universal consent of the Democratic party, the Cincinnati platform referred this question of slavery to the people of the Territories, declaring that Congress should in no event intervene one way or the other, and that all controversies should be settled by the courts. Now the proposition of the majority report was to make a complete retraction of those two cardinal doctrines of the Cincinnati platform. The Northern mind had become thoroughly imbued with this great doctrine of popular sovereignty. You could not tear it out of their hearts unless you tore out their heart-strings themselves. "I repeat, that upon this question of Congressional non-intervention we are committed by the acts of Congress, we are committed by the acts of National Democratic Conventions; we cannot recede without personal dishonor, and, so help us God, we never will recede!"

Between these extremes of recommendation another member of the platform committee — Benjamin F. Butler, of Massachusetts — proposed a middle course. He advocated the simple reaffirmance of the Cincinnati platform. If it had suffered a double interpretation, so had the Bible and the Constitution of the United States. But beyond serving to consume time and amuse the convention, Mr. Butler's speech made no impression. The real tournament of debate followed, between William L. Yancey, of Alabama, and Senator George E. Pugh, of Ohio.

Mr. Butler, who represented Massachusetts on the platform committee, had submitted a separate report, Mr. Payne seems not to have included her in his total of free States, though he does appear to have included her electoral vote in his estimate.

CHAP. XIII. It turned out in the end that Mr. Yancey was the master-spirit of the Charleston Convention, though that body was far from entertaining any such suspicion at the beginning. In exterior appearance he did not fill the portrait of the traditional fire-eater. He is described as "a compact middle-sized man, straight-limbed, with a square-built head and face, and an eye full of expression"; "a very mild and gentlemanly man, always wearing a genuinely good-humored smile, and looking as if nothing in the world could disturb the equanimity of his spirits." He had, besides, a marvelous gift of persuasive oratory. He was the Wendell Phillips of the South, for, like his Northern rival, he was a born agitator. Above all his colleagues, he was the brain and soul and irrepressible champion of the pro-slavery reaction throughout the Cotton States. He was tireless and ubiquitous; traveling, talking, writing, lecturing, animating every intrigue, directing every caucus, making speeches and drafting platforms at every convention. To defend, propagate, and perpetuate African slavery was his mission. He was the ultra of the ultras, accepting the institution as morally right and divinely sanctioned, desiring its extension and inclined to favor, though not then himself advocating, the re-opening of the African slave-trade. He held that all Federal laws prohibiting such trade ought to be repealed so that each State might decide the question for itself. Still more, Mr. Yancey was not only an agitator and fire-eater, but for years an insidious, persevering conspirator to promote secession. Occupying such a position, he was naturally the champion of the Cotton States at Charleston. The defense of

Halstead, "Conventions of 1860," pp. 5, 48.

the ultra demands of the South was by common consent devolved upon him,[1] and it was understood long beforehand that he was prepared with the principal speech from that side. CHAP. XIII.

In full consciousness of the fact that he and his colleagues were then at Charleston with a predetermination to force a programme of disruption expressly designed as a prelude to intended disunion, Mr. Yancey stood up and with smiling face and silvery tones assured his hearers that he and his colleagues from Alabama were not disunionists *per se*. Then he proceeded with his speech. Only its key-note was new, but the novelty was of startling import to Northern delegates. The Northern Democrats, he stated, were losing ground and falling before their victorious adversaries. Why? Because they had tampered with, and pandered to, the antislavery sentiment. They had admitted that slavery was wrong. This was surrendering the very citadel of their argument. They must re-form their lines and change their tactics. They must come up to the high requirements of the occasion and take a new departure. The remainder of his speech was an insinuating plea for the property doctrine and Congressional intervention, for which the galleries and convention rewarded him with long and earnest applause. Even if the great Southern agitator's speech had been wanting in point and eloquence, success was

[1] "The leadership at Charleston, in this attempt to divide and destroy the Democratic party, was intrusted to appropriate hands. No man possessed the ability, or the courage, or the sincerity in his object for such a mission in a higher degree than the gifted Yancey."—Stephen A. Douglas, Senate Speech, May 16, 1860; Appendix to "Congressional Globe," p. 313.

CHAP. XIII. supplied by the unmistakable atmosphere and temper of this great Charleston audience.

The more astute of the Douglas delegates were struck with the dismay of a new revelation. Their cause was lost — their party was gone. Senator Pugh, of Ohio, resented the dictation of the advocates of slavery in a warmth of just indignation. He thanked God that at last a bold and honest man had told the whole truth of the demands of the South. It was now before the country that the South did demand an advanced step from the Democratic party. He accurately traced the downfall of the Northern Democracy to her changing and growing exactions. Taunted with their weakness, they were now told they must put their hands on their mouths and their mouths in the dust. "Gentlemen of the South," said Mr. Pugh, "you mistake us — we will not do it."

Such language had never been heard in a Democratic National Convention, and the hall was as still as a funeral. This was Friday night, the fifth day of the convention. "A crisis" had long been whispered of as the skeleton in the party closet. It seemed to be at hand, and in a parliamentary uproar the "question" was vehemently demanded, but the chairman skillfully managed at length to secure an adjournment.

The "crisis" had in reality come on Thursday night, in the committee-room, in the hopeless first double report of its platform committee. The dissolution of the convention did not take place till the Monday following. A great party, after a vigorous and successful life of thirty years, could not die easily. The speeches of Avery and Payne,

of Yancey and Pugh, on Friday, were recognized as cries of defiance, but not yet accepted as moans of despair. On Saturday morning, President Buchanan's lieutenant, William Bigler, of Pennsylvania, essayed to ride the storm and steer to a Southern victory. But he only succeeded in securing a recommittal of both platforms to the committee. Nothing, however, was gained by the manœuvre. Saturday afternoon the committee once more reported the same disagreement in slightly changed phraseology;[1] two antagonistic platforms,

[1] SECOND MAJORITY REPORT.

"*Resolved*, That the platform adopted by the Democratic party at Cincinnati be affirmed with the following explanatory resolutions:

"*First.* That the government of a Territory organized by an act of Congress is provisional and temporary, and, during its existence, all citizens of the United States have an equal right to settle with their property in the Territory without their rights, either of person or property, being destroyed or impaired by Congressional or Territorial legislation.

"*Second.* That it is the duty of the Federal Government in all its departments, to protect, when necessary, the rights of persons and property in the Territories, and wherever else its constitutional authority extends.

"*Third.* That when the settlers in a Territory having an adequate population form a State constitution, the right of sovereignty commences, and, being consummated by admission into the Union, they stand on an equal footing with the people of other States, and the State thus organized ought to be admitted into the Federal Union, whether its constitution prohibits or recognizes the institution of slavery."

SECOND MINORITY REPORT.

"1. *Resolved*, That we, the Democracy of the Union, in convention assembled, hereby declare our affirmance of the resolutions unanimously adopted and declared as a platform of principles by the Democratic Convention at Cincinnati, in the year 1856, believing that democratic principles are unchangeable in their nature when applied to the same subject-matters; and we recommend as the only further resolutions the following:

"Inasmuch as differences of opinion exist in the Democratic party as to the nature and extent of the powers of a Territorial Legislature and as to the powers and duties of Congress under the Constitution of the United States over the institution of slavery within the Territories:

"2. *Resolved*, That the Democratic party will abide by the decisions of the Supreme Court of the United States on the questions of constitutional law."

CHAP. XIII. presenting the same sharp difference of principle — one demanding Congressional intervention, the other declaring against it. Then the parliamentary storm was unloosed for the remainder of that day with such fury that the chairman declared his physical inability to continue a contest with six hundred gentlemen as to who should cry the loudest, and threatened to leave the chair. On Monday, April 30, the seventh day of the convention, a final decision was reached. The proposal of Butler's report simply to reaffirm the Cincinnati platform was supported by only 105 ayes to 198 noes. Then, by 165 to 138, the convention voted to substitute the minority report for that of the majority; in other words, to adopt the Douglas non-intervention platform.

The explosion was near, but still delayed, and the delegates of the Cotton States sat sullenly through a tangle of routine voting. Finally, the question was renewed on Butler's proposition to adopt the Cincinnati platform pure and simple. This was the red flag to the mad bull. Mississippi declared that the Cincinnati platform was a great political swindle on one half the States of the Union; and from that time on the Cotton States ceased to act as a part of the convention. As soon as a lull in the proceedings permitted, Mr. Yancey put in execution his programme of demand, disruption, disunion, and rebellion, labored for through long years, and announced by himself, with minute distinctness, nine months before.[1] Led by the

[1] "To obtain the aid of the Democracy in this contest, it is necessary to make a contest in its Charleston Convention. In that body Douglas's adherents will press his doctrines to a decision. If the States-Rights men keep out of that conven-

W. L. YANCEY.

Alabama delegation, the Cotton States,—Alabama, Mississippi, Louisiana, South Carolina, Florida, CHAP. XIII.

tion, that decision must inevitably be against the South, and that either in direct favor of the Douglas doctrine, or by the indorsement of the Cincinnati platform, under which Douglas claims shelter for his principles." "The States-Rights men should present in that convention their demands for a decision, and they will obtain an indorsement of their demands, or a denial of these demands. If indorsed, we shall have greater hope of triumph within the Union. If denied, in my opinion, the States-Rights wing should secede from the convention, and appeal to the whole people of the South, without distinction of parties, and organize another convention upon the basis of their principles, and go into the election with a candidate nominated by it, as a grand constitutional party. But in the Presidential contest a black Republican may be elected. If this dire event should happen, in my opinion the only hope of safety for the South is in a withdrawal from the Union before he shall be inaugurated; before the sword and treasury of the Federal Government shall be placed in the keeping of that party. I would suggest that the several State legislatures should by law require the Governor, when it shall be made manifest that the black Republican candidate for the Presidency shall receive a majority of the electoral votes, to call a convention of the people of the State, to assemble in ample time to provide for their safety before the 4th of March, 1861. If, however, a black Republican should not be elected, then, in pursuance of the policy of making this contest within the Union, we should initiate measures in Congress which should lead to a repeal of all the unconstitutional acts against slavery. If we should fail to obtain so just a system of legislation, then the South should seek her independence out of the Union."—Speech of W. L. Yancey, delivered at Columbia, S. C., July 8, 1859. Copied in The New York "Tribune," July 20, 1859.

The corroboration and fulfillment of the plot here indicated are found in the official proceedings of the Alabama Convention and the Alabama Legislature. The convention on January 13, 1860, expressly instructed its delegation at Charleston to secede in case the ultra-Southern doctrines were not incorporated in the National Democratic platform, and sent Mr. Yancey as a delegate to execute their instructions, which he did as the text states.

The Alabama Legislature, on its part, passed a joint resolution, which the Governor approved, February 24, 1860, providing "that upon the election of a President advocating the principles and action of the party in the Northern States calling itself the Republican party," the Governor should forthwith call a convention of the State. This convention was duly called after the election of Mr. Lincoln, and passed the secession ordinance of Alabama.

CHAP. XIII. Texas, and Arkansas,—with protests and speeches, with all the formality and "solemnity" which the occasion allowed, seceded from the Charleston Convention, and withdrew from the deliberations in Institute Hall.

That same Monday night the city of Charleston expressed its satisfaction by a grand jubilee. Music, bonfires, and extravagant declamation held an excited crowd in Court-house Square till a late hour; and in a high-wrought peroration Yancey prophesied, with all the confidence and exultation of a triumphant conspirator, that "perhaps even now the pen of the historian is nibbed to write the story of a new revolution."

CHAPTER XIV

THE BALTIMORE NOMINATIONS.

THOUGH the compact voting body of the South had retired from the Charleston Convention, her animating spirit yet remained in the numbers and determination of the anti-Douglas delegates. When on Tuesday morning, May 1, the eighth day, the convention once more met, the Douglas men, with a view to making the most of the dilemma, resolved to force the nomination of their favorite. But there was a lion in the path. Usage and tradition had consecrated the two-thirds rule. Charles E. Stuart, of Michigan, tried vainly to obtain the liberal interpretation, that this meant "two-thirds of the votes given," but Chairman Cushing ruled remorselessly against him, and at the instance of John R. Howard, of Tennessee, the convention voted (141 to 112) that no person should be declared nominated who did not receive two-thirds of all the votes the full convention was entitled to cast.

This sealed the fate of Douglas. The Electoral College numbered 303; 202 votes therefore were necessary to a choice. Voting for candidates was begun, and continued throughout all the next day (Wednesday, May 2). Fifty-seven ballots were taken in all; Douglas received 145½ on the first,

CHAP. XIV. and on several subsequent ballots his strength rose to 152½. The other votes were scattered among eight different candidates with no near approach to agreement.[1]

The dead-lock having become unmistakable and irremediable, and the nomination of Douglas under existing conditions impossible, all parties finally consented to an adjournment, especially as it was evident that unless this were done the sessions would come to an end by mere disintegration. Therefore, on the tenth day (May 3), the Charleston Convention formally adjourned, having previously resolved to reassemble on the 18th of June, in the city of Baltimore, with a recommendation that the several States make provision to fill the vacancies in their delegations.

Mr. Yancey and his seceders had meanwhile organized another convention in St. Andrew's Hall. Their business was of course to report substantially the platform rejected by the Douglas men, and for the rejection of which they had retired. Mr. Yancey then explained to them that the adoption of this platform was all the action they proposed to take until the "rump democracy" should make their nomination, when, he said, "it may be our privilege to indorse the nominee, or our duty to proceed to make a nomination." Other seceders were more impatient, and desired that something be done forthwith; but as the sessions were

[1] The first ballot stood: Stephen A. Douglas, of Illinois, 145½; James Guthrie, of Kentucky, 35½; Daniel S. Dickinson, of New York, 7; R. M. T. Hunter, of Virginia, 42; Andrew Johnson, of Tennessee, 12; Joseph Lane, of Oregon, 6; Jefferson Davis, of Mississippi, 1½; Isaac Toucey, of Connecticut, 2½; Franklin Pierce, of New Hampshire, 1.

continued to the second and third day, their overflowing zeal found a safety-valve in their speeches. Mr. Yancey's programme prevailed, and they also adjourned to meet again in Richmond on the 11th of June.

At the time of the disruption, rumors were current in Charleston that the movement, if not prompted, was at least encouraged and sustained by telegrams from leading Senators and Representatives then at their Congressional duties in Washington. As the day for reassembling in Baltimore drew near, the main fact was abundantly proved by the publication of an address, signed by Jefferson Davis, Toombs, Iverson, Slidell, Benjamin, Mason, and some fourteen others, in which they undertook to point out a path to union and harmony in the Democratic party. They recited the withdrawal of eight States at Charleston, and indorsed the step without qualification. "We cannot refrain," said the address, "from expressing our admiration and approval of this lofty manifestation of adherence to principle, rising superior to all considerations of expediency, to all trammels of party, and looking with an eye single to the defense of the constitutional rights of the States." They then alleged that the other Democratic States remained in the convention only to make a further effort to secure "some satisfactory recognition of sound principles," declaring, however, their determination also to withdraw if their just expectation should be disappointed. The address then urged that the seceders should defer their meeting at Richmond, but that they should come to Baltimore and en-

CHAP. XIV. deavor to effect "a reconciliation of differences on a basis of principle." If the Baltimore Convention should adopt "a satisfactory platform of principles,"— and their votes might help secure it,— then cause of dissension would have ceased. "On the other hand," continued the address, "if the convention, on reassembling at Baltimore, shall disappoint the just expectations of the remaining Democratic States, their delegations cannot fail to withdraw and unite with the eight States which have adjourned to Richmond." The address, in another paragraph, explained that the seventeen Democratic States which had voted at Charleston for the seceders' platform, "united with Pennsylvania alone, comprise a majority of the entire electoral vote of the United States, able to elect the Democratic nominees against the combined opposition of all the remaining States."

This was a shrewd and crafty appeal. Under an apparent plea for harmony lurked an insidious invitation to Delaware, Virginia, North Carolina, Missouri, Tennessee, Kentucky, California, Oregon, and Pennsylvania to join the seceders, reconstruct the Democratic party, cut off all the "popular sovereignty" recusants, and secure perpetual ascendency in national politics through the consolidated South. The signers of this address, forgetting their own constant accusation of "sectionalism" against the Republicans, pretended to see no impropriety in proposing this purely selfish and sectional alliance. If it succeeded, their triumph in the Union was irresistible and permanent; if it failed, it served to unite the South for secession and a slave confederacy.

If any Democrat harbored a doubt that the proposed reconciliation meant simply a reunion on the Davis-Yancey platform, the doubt was soon removed. In the Senate of the United States, Jefferson Davis was pressing to a vote his caucus resolutions, submitted in February, to serve as a model for the Charleston platform; and this brought on a final discussion between himself and Douglas.

Davis had begun the debate on the 7th of May by a savage onslaught on "Squatter Sovereignty" — a fallacy, he said, fraught with mischief more deadly than the fatal upas, because it spread its poison over the whole Union. Douglas took up the gauntlet, and, replying on May 15 and 16, said he could not recognize the right of a caucus of the Senate or the House to prescribe new tests for the Democratic party. Senators were not chosen for the purpose of making platforms. That was the duty of the Charleston Convention, and it had decided in his favor, platform, organization, and least of all the individual, by giving him a majority of fifty votes over all the other candidates combined. He reprobated the Yancey movement as leading to dissolution and a Southern confederacy. The party rejected this caucus platform. Should the majority, he asked, surrender to the minority? Davis, replying on the 17th, contended that Douglas had, on the Kansas policy of the Administration, put himself outside the Democratic organization. He desired no divided flag for the party. He preferred that the Senator's banner should lie in its silken folds to feed the moth; "but if it impatiently rustles to be unfurled in opposi-

"Globe," May 7, 1860, p. 1940.

Appendix, "Globe," May 15 and 16, 1860, pp. 312, 313, and 316.

CHAP. XIV. tion to ours, we will plant our own on every hill." Douglas retorted, and again attacked the caucus dictation. "Why," he asked, "are all the great measures for the public good made to give place to the emergency of passing some abstract resolutions on the subject of politics to reverse the Democratic platform, under the supposition that the representatives of the people are men of weak nerve who are going to be frightened by the thunders of the Senate Chamber?" Davis rejoined, that they wanted a new article in the creed because they could not get an honest construction of the platform as it stood. "If you have been beaten on a rickety, double-construed platform, kick it to pieces, and lay one broad and strong, on which men can stand." "We want nothing more than a simple declaration that negro slaves are property, and we want the recognition of the obligation of the Federal Government to protect that property like all other." A somewhat restrained undertone of personal temper had been running through the debate, and Jefferson Davis could not resist an expression of contempt for his opponent. "The fact is," said he, "I have a declining respect for platforms. I would sooner have an honest man on any sort of a rickety platform that you could construct, than to have a man I did not trust on the best platform which could be made."

"Globe," May 17, 1860, p. 2151.

Ibid., p. 2153.

Ibid., p. 2155.

Douglas promptly called attention to the inconsistency of Davis's method of forcing his resolutions with one breath and avowing his indifference to a platform with another, especially as Yancey and his own followers had seceded on the platform and not on the man; but he did not press his adversary

to the wall, as he might have done, on the insincerity which Davis's sneer exposed. He was hampered by his own attitude as a candidate. Douglas, who had received 150 votes at Charleston, and who expected the whole at Baltimore, could not let his tongue wag as freely as Davis, who had received only one vote and a half at Charleston, and could count on none at Baltimore; else he might have denounced him on the score of patriotism. For Jefferson Davis, like Yancey, only not so constantly, and like so many others of that secession coterie, blew hot and cold about disunion as occasion demanded. This same debate of May 17 furnished an instructive example. CHAP. XIV.

In the beginning of the day's discussion Davis indulged in a repetition of the old alarm-cry: "And so, sir, when we declare our tenacious adherence to the Union, it is the Union of the Constitution. If the compact between the States is to be trampled into the dust; if anarchy is to be substituted for the usurpation which threatened the Government at an earlier period; if the Union is to become powerless for the purposes for which it was established, and we are vainly to appeal to it for protection — then, sir, conscious of the rectitude of our course, and self-reliant within ourselves, we look beyond the confines of the Union for the maintenance of our rights." "Globe," May 17, 1860, p. 2151.

But after Douglas had made a damaging exposure of Yancey's disunion intrigues, which had come to light, and had charged their animus on the Charleston seceders, Davis changed his tone. He said there were not more than seventy-five men in the lodges of the Southern Leagues. He did not

CHAP. XIV. think the Union was in danger from them. "I have great confidence," said he, "in the strength of the Union. Every now and then I hear that it is about to tumble to pieces; that somebody is going to introduce a new plank into the platform, and if he does, the Union must tumble down; until at last I begin to think it is such a rickety old platform that it is impossible to prop it up. But then I bring my own judgment to bear, instead of relying on witnesses, and I come to the conclusion that the Union is strong and safe — strong in its power as well as in the affections of the people."

"Globe," May 17, 1860, p. 2156.

The debate made it very plain that it was not reconciliation but domination which the South wanted. So in due time (May 25) the Jefferson Davis resolutions, affirming the "property" theory and the "protection" doctrine, were passed by a large majority of the Democratic Senators.

June 18, 1860.

When the Charleston Convention proper reassembled at Baltimore, it was seen that the programme laid out by Jefferson Davis and others in their published address had been adopted. The seceders had met at Richmond, taken a recess, and now appeared at Baltimore making application for readmission. But some of the States that withdrew at Charleston had sent contesting delegations, and it resolved itself into tangled rivalry and quarrel of platforms, candidates, and delegations all combined. For four days a furious debate raged in the convention during the day, while rival mass-meetings in the streets at night called each other "disorganizers," "bolters," "traitors," "disunionists," and "abolitionists." When Douglas, before a test-vote was reached, sent a dispatch

suggesting that the party and the country might be saved by dropping his name and uniting upon some other candidate, his followers suppressed the dispatch.

On the fifth day at Baltimore the Democratic National Convention underwent its second "crisis," and suffered its second disruption. This time the secession was somewhat broadened; Chairman Cushing resigned his seat, and Virginia, North Carolina, Tennessee, Delaware, Maryland, Kentucky, and California withdrew wholly or in part to join the States which had gone out at Charleston.

For the time the disunion extremists were keeping their scheme too well masked for us to establish clearly its historical record. But the signs and footprints of their underplot are evident. Here at Baltimore, as at Charleston, and as on every critical occasion, Mr. Yancey was conspicuously present. Here, as elsewhere, he was no doubt persistently intriguing for disunion in secret while ostentatiously denying disunion purposes in public.

But little remained to do after the disruption at Baltimore, and that little was quickly done. The fragments of the original convention continued their session in the Front-street Theater, where they had met, and on the first ballot nominated Stephen A. Douglas for President by an almost unanimous vote. The seceders organized, under the chairmanship of Caleb Cushing, in Maryland Institute Hall, and also by a nearly unanimous ballot nominated as their candidate for President, John C. Breckinridge, of Kentucky. Then Mr. Yancey, who in a street mass-meeting had declared that he was neither for the Union *per se* nor for disunion *per se*,

CHAP. XIV. but for the Constitution, announced that the Democracy, the Constitution, and, through them, the Union were yet safe.

Halstead, "Conventions of 1860."

A month prior to the reassembling of the Charleston "Rumps" above described, Baltimore had already witnessed another Presidential convention and nomination, calling itself peculiarly "National," in contradistinction to the "sectional" character which it charged upon the Democratic and Republican parties alike. This was a third party, made up mainly of former Whigs whose long-cherished party antagonisms kept them aloof from the Democrats in the South and the Republicans in the North. In the South, they had been men whose moderate antislavery feelings were outraged by the repeal of the Missouri Compromise and the Lecompton trick. In the North, they were those whose traditions and affiliations revolted at the extreme utterances of avowed abolitionists. In both regions many of them had embraced Know-Nothingism, more as an alternative than from original choice. The Whig party was dissolved; Know-Nothingism had utterly failed—their only resource was to form a new party.

In the various States they had, since the defeat of Fillmore in 1856, held together a minority organization under names differing in separate localities. All these various factions and fragments sent delegations to Baltimore, where they united themselves under the designation of the Constitutional Union Party. They proposed to take a middle course between Democrats and Republicans, and to allay sectional strife by ignoring the slavery question.

Delegates of this party, regular and irregular, from some twenty-two States, convened at Baltimore on the 9th of May. John J. Crittenden, of Kentucky, called the meeting to order, and Washington Hunt, of New York, was made temporary and permanent chairman. On Thursday, May 10, they adopted as their platform a resolution declaring in substance that they would "recognize no other political principle than the Constitution of the country, the Union of the States, and the enforcement of the laws." They had no reasonable hope of direct success at the polls in November; but they had a clear possibility of defeating a popular choice, and throwing the election into the House of Representatives; and in that case their nominee might stand on high vantage-ground as a compromise candidate. This possibility gave some zest to the rivalry among their several aspirants. On their second ballot, a slight preponderance of votes indicated John Bell, of Tennessee, as the favorite, and the convention made his nomination unanimous. Mr. Bell had many qualities desirable in a candidate for President. He was a statesman of ripe experience, and of fair, if not brilliant, fame. Though from the South, his course on the slavery question had been so moderate as to make him reasonably acceptable to the North on his mere personal record. He had opposed the repeal of the Missouri Compromise and the Lecompton outrage. But upon this platform of ignoring the political strife of six consecutive years, in which he had himself taken such vigorous part, he and his followers were of course but as grain between the upper and

CHAP. XIV. 1860.

CHAP. XIV. nether millstones. Edward Everett, one of the most eminent statesmen and scholars of New England, was nominated for Vice-President.

This party becomes historic, not through what it accomplished, but by reason of what a portion of it failed to perform. Within one year from these pledges to the Constitution, the Union, and the enforcement of the laws, Mr. Bell and most of his Southern adherents in the seceding States were banded with others in open rebellion. On the other hand, Mr. Everett and most of the Northern members, together with many noble exceptions in the border slave States, like Mr. Crittenden, of Kentucky, kept the faith announced in their platform, and with patriotic devotion supported the Government in the war to maintain the Union.

CHAPTER XV

THE CHICAGO CONVENTION

IN recognition of the growing power and importance of the great West, the Republican National Convention was called to meet in Chicago on the 16th of May. The former Presidential canvass, though resulting in the defeat of Frémont, had nevertheless shown the remarkable popular strength of the Republican party in the country at large; since then, its double victory in Congress against Lecompton, and at the Congressional elections over the Representatives who supported Lecompton, gave it confidence and aggressive activity. But now it received a new inspiration and impetus from the Charleston disruption. Former possibility was suddenly changed to strong probability of success in the coming Presidential election. Delegates were not only quickened with a new zeal for their principles; the growing chances spurred them to fresh efforts in behalf of their favorite candidates. Those who had been prominently named were diverse in antecedents and varied in locality, each however presenting some strong point of popular interest. Seward, of New York, a Whig of preëminent fame; Chase, of Ohio, a talented and zealous antislavery Democrat, an original founder of the new party; Dayton, of New

CHAP. XV. Jersey, an old Whig high in personal worth and political service; Cameron, of Pennsylvania, a former Democrat, now the undisputed leader of an influential tariff State; Bates, of Missouri, an able and popular antislavery Whig from a slave State; and last, but by no means least in popular estimation, Lincoln, of Illinois.

The idea of making Lincoln a Presidential candidate had occurred to the minds of many during his growing fame. The principle of natural selection plays no unimportant part in the politics of the United States. There are always hundreds of newspapers ready to "nail to the mast-head" the name of any individual which begins to appear frequently in dispatches and editorials. A few months after the close of the Lincoln-Douglas debates, and long before the Ohio speeches and the Cooper Institute address, a warm personal friend, the editor of an Illinois newspaper, wrote him an invitation to lecture, and added in his letter: "I would like to have a talk with you on political matters, as to the policy of announcing your name for the Presidency, while you are in our city. My partner and myself are about addressing the Republican editors of the State on the subject of a simultaneous announcement of your name for the Presidency."

Pickett to Lincoln, April 13, 1859. MS.

To this Lincoln replied: "As to the other matter you kindly mention, I must in candor say I do not think myself fit for the Presidency. I certainly am flattered and gratified that some partial friends think of me in that connection; but I really think it best for our cause that no concerted effort, such as you suggest, should be made."

Lincoln to Pickett, April 16, 1859. MS.

GENERAL JOHN C. BRECKINRIDGE.

A much more hopeful ambition filled his mind. Notwithstanding his recent defeat, he did not think that his personal contest with Douglas was yet finished. He had the faith and the patience to wait six years for a chance to repeat his political tournament with the "Little Giant." From his letter quoted in a previous chapter we know he had resolved to "fight in the ranks" in 1860. From another, we know how generously he kept faith with other Republican aspirants. "If Trumbull and I were candidates for the same office you would have a right to prefer him, and I should not blame you for it; but all my acquaintance with you induces me to believe you would not pretend to be for me while really for him. But I do not understand Trumbull and myself to be rivals. You know I am pledged not to enter a struggle with him for the seat in the Senate now occupied by him; and yet I would rather have a full term in the Senate than in the Presidency." CHAP. XV.

Lincoln to Judd, Dec. 9, 1859. MS.

This spirit of fairness in politics is also shown by the following letter, written apparently in response to a suggestion that Cameron and Lincoln might form a popular Presidential ticket: "Yours of the 24th ult. was forwarded to me from Chicago. It certainly is important to secure Pennsylvania for the Republicans in the next Presidential contest; and not unimportant to also secure Illinois. As to the ticket you name, I shall be heartily for it after it shall have been fairly nominated by a Republican National Convention; and I cannot be committed to it before. For my single self, I have enlisted for the permanent success of the Republican cause; and for this

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object I shall labor faithfully in the ranks, unless, as I think not probable, the judgment of the party shall assign me a different position. If the Republicans of the great State of Pennsylvania shall present Mr. Cameron as their candidate for the Presidency, such an indorsement of his fitness for the place could scarcely be deemed insufficient. Still, as I would not like the public to know, so I would not like myself to know, I had entered a combination with any man to the prejudice of all others whose friends respectively may consider them preferable."

Lincoln to Frazer, Nov. 1, 1859. MS.

Not long after these letters, at some date near the middle of the winter 1859–60, the leaders of the Republican party of Illinois met at Springfield, the capital of the State, and in a more pressing and formal manner requested him to permit them to use his name as a Presidential candidate, more with the idea of securing his nomination for Vice-President than with any further expectation. To this he now consented. His own characteristic language, however, plainly reveals that he believed this would be useful to him in his future Senatorial aspirations solely, and that he built no hopes whatever on national preferment. A quarrel was going on among rival aspirants to the Illinois governorship, and Lincoln had written a letter to relieve a friend from the imputation of treachery to him in the recent Senatorial contest. This act of justice was now used to his disadvantage in the scramble for the Illinois Presidential delegates, and he wrote as follows: "I am not in a position where it would hurt much for me not to be nominated on the national ticket; but I am where it

would hurt some for me not to get the Illinois delegates. What I expected when I wrote the letter to Messrs. Dole and others is now happening. Your discomfited assailants are most bitter against me; and they will for revenge upon me, lay to the Bates egg in the South, and to the Seward egg in the North, and go far towards squeezing me out in the middle with nothing. Can you not help me a little in this matter in your end of the vineyard?" CHAP. XV.

Lincoln to Judd, Feb. 9, 1860. MS. Also printed in a pamphlet.

The extra vigilance of his friends thus invoked, it turned out that the Illinois Republicans sent a delegation to the Chicago Convention full of personal devotion to Lincoln and composed of men of the highest standing, and of consummate political ability, and their enthusiastic efforts in his behalf among the delegations from other States contributed largely to the final result.

The political campaign had now so far taken shape that its elements and chances could be calculated with more than usual accuracy. The Charleston Convention had been disrupted on the 30th of April, and adjourned on May 3; the nomination of John Bell by the Constitutional Union party occurred on May 10. The Chicago Convention met on May 16; and while there was at that date great uncertainty as to whom the dissevered fragments of the Democratic party would finally nominate, little doubt existed that both the Douglas and Buchanan wings would have candidates in the field. With their opponents thus divided, the plain policy of the Republicans was to find a candidate on whom a thorough and hearty union of all the elements of the opposition could be secured. The party was constituted of somewhat hetero- 1860.

CHAP. XV. geneous material; a lingering antagonism remained between former Whigs and Democrats, protectionists and free-traders, foreign-born citizens and Know-Nothings. Only on a single point were all thus far agreed — opposition to the extension of slavery.

But little calculation was needed to show that at the November polls four doubtful States would decide the Presidential contest. Buchanan had been elected in 1856 by the vote of all the slave States (save Maryland), with the help of the free States of New Jersey, Pennsylvania, Indiana, Illinois, and California. Change the first four or even the first three of these free States to the Republican side, and they, with the Frémont States of 1856, would elect the President against all the others combined. The Congressional elections of 1858 demonstrated that such a change was possible. But besides this, Pennsylvania and Indiana were, like Ohio, known as "October States," because they held elections for State officers in that month; and they would at that early date give such an indication of sentiment as would forecast their November vote for President, and exert a powerful, perhaps a decisive, influence on the whole canvass. What candidate could most easily carry New Jersey, Pennsylvania, Indiana, and Illinois, became therefore the vital question among the Chicago delegates, and especially among the delegates from the four pivotal States themselves.

William H. Seward, of New York, was naturally the leading candidate. He had been longest in public life, and was highest in official rank. He

had been Governor of the greatest State of the Union, and had nearly completed a second term of service in the United States Senate. Once a prominent Whig, his antecedents coincided with those of the bulk of the Republican party. His experience ran through two great agitations of the slavery question. He had taken important part in the Senate discussions which ended in the compromise measures of 1850, and in the new contest growing out of the Nebraska bill his voice had been heard in every debate. He was not only firm in his antislavery convictions, but decided in his utterances. Discussing the admission of California, he proclaimed the "higher law" doctrine in 1850;[1] reviewing Dred Scott and Lecompton, he announced the "irrepressible conflict" in 1858.[2] He had tact as well as talent; he was a consummate politician, as well as a pro-

[1] "It is true indeed that the national domain is ours. It is true it was acquired by the valor and with the wealth of the whole nation. But we hold, nevertheless, no arbitrary power over it. We hold no arbitrary authority over anything, whether acquired lawfully or seized by usurpation. The Constitution regulates our stewardship; the Constitution devotes the domain to union, to justice, to defense, to welfare, and to liberty. But there is a higher law than the Constitution which regulates our authority over the domain, and devotes it to the same noble purposes. The territory is a part, no inconsiderable part, of the common heritage of mankind, bestowed upon them by the Creator of the universe. We are his stewards, and must so discharge our trust as to secure in the highest attainable degree their happiness."—William H. Seward, Senate Speech, March 11, 1850. App. "Globe," p. 265.

[2] "Shall I tell you what this collision means? They who think that it is accidental, unnecessary, the work of interested or fanatical agitators, and therefore ephemeral, mistake the case altogether. It is an irrepressible conflict between opposing and enduring forces, and it means that the United States must and will, sooner or later, become either entirely a slave-holding nation, or entirely a free-labor nation."—Seward, Rochester Speech, October 25, 1858.

CHAP. XV. found statesman. Such a leader could not fail of a strong following, and his supporters came to Chicago in such numbers, and of such prominence and character, as seemed to make his nomination a foregone conclusion. The delegation from New York, headed by William M. Evarts, worked and voted throughout as a unit for him, not merely to carry out their constituents' wishes, but with a personal zeal that omitted no exertion or sacrifice. They showed a want of tact, however, in carrying their street demonstrations for their favorite to excess; they crowded together at the Richmond House, making that hotel the Seward headquarters; with too much ostentation they marched every day to the convention with music and banners; and when mention was made of doubtful States, their more headlong members talked altogether too much of the campaign funds they intended to raise. All this occasioned a reaction — a certain mental protest among both Eastern and Western delegates against what have come to be characterized as "machine" methods.

The positive elements in Seward's character and career had developed, as always happens, strong antagonisms. One of the earliest symptoms among the delegates at Chicago was the existence of a strong undercurrent of opposition to his nomination. This opposition was as yet latent, and scattered here and there among many State delegations, but very intense, silently watching its opportunity, and ready to combine upon any of the other candidates. The opposition soon made a discovery: that of all the names mentioned, Lincoln's was the only one offering any chance for such a combination. It

needed only the slightest comparison of notes to show that Dayton had no strength save the New Jersey vote; Chase little outside of the Ohio delegation; Cameron none but that of Pennsylvania, and that Bates had only his Missouri friends and a few in border slave States, which could cast no electoral vote for the Republicans. The policy of the anti-Seward delegates was therefore quickly developed — to use Lincoln's popularity as a means to defeat Seward.

The credit of the nomination is claimed by many men, and by several delegations, but every such claim is wholly fictitious. Lincoln was chosen not by personal intrigue, but through political necessity. The Republican party was a purely defensive organization; the South had created the crisis which the new party was compelled to overcome. The ascendency of the free States, not the personal fortunes of Seward, hung in the balance. Political victory at the ballot-box or a transformation of the institutions of government was the immediate alternative before the free States.

Victory could be secured only by help of the electoral votes of New Jersey, Pennsylvania, Indiana, and Illinois. It was therefore a simple problem: What candidate could carry these States? None could answer this question so well as their own delegates, and these, when interrogated, still further reduced the problem by the reply that Seward certainly could not. These four States lay on the border land next to the South and to slavery. Institutions inevitably mold public sentiment; and a certain tenderness towards the "property" of neighbors and friends infected their people. They

CHAP. XV. shrunk from the reproach of being "abolitionized." They would vote for a conservative Republican; but Seward and radicalism and "higher law" would bring them inevitable defeat.

Who, then, could carry these doubtful and pivotal States? This second branch of the question also found its ready answer. The contest in these States would be not against a Territorial slave code, but against "popular sovereignty"; not with Buchanan's candidate, but with Douglas; and for Douglas there was only a single antagonist, tried and true — Abraham Lincoln. Such, we may reasonably infer, was the substance of the discussion and argument which ran through the caucus-rooms of the delegates, day and night, during the 16th and 17th of May. Meanwhile the Seward men were not idle; having the large New York delegation to begin with, and counting the many positive committals from other States, their strength and organization seemed impregnable. The opposing delegations, each still nursing the chances of its own candidate, hesitated to give any positive promises to each other. At midnight of May 17, Horace Greeley,[1] one of Seward's strongest opponents, and perhaps better informed than any other single delegate, telegraphed his conclusion "that the opposition to Governor Seward cannot concentrate on any candidate, and that he will be nominated."

N. Y. "Tribune," May 18, 1860.

Chicago was already a city of a hundred thousand souls. Thirty to forty thousand visitors, full of life, hope, ambition, most of them from the progressive group of encircling North-western States,

[1] Mr. Greeley sat in the convention as a delegate for Oregon.

and strung to the highest tension of political excitement, had come to attend the convention. Charleston had shown a great party in the ebb-tide of disintegration, tainted by the spirit of disunion. Chicago exhibited a great party springing to life and power, every motive and force compelling coöperation and growth. The rush and spirit of the great city, and the enthusiasm and hope of its visitors, blended and reacted upon each other as if by laws of chemical affinity. Something of the freshness and sweep of the prairie winds exhilarated the delegates and animated the convention.

No building in the city of Chicago at that time contained a hall with sufficient room for the sittings of the great assemblage. A temporary frame structure, which the committee of arrangements christened "The Wigwam," was therefore designed and erected for this special use. It was said to be large enough to hold ten thousand persons, and whether or not that estimate was entirely accurate, a prodigious concourse certainly gathered each day within its walls.

The first day's session (May 16) demonstrated the successful adaptation of the structure to its uses. Participants and spectators alike were delighted with the ease of ingress and egress, the comfortable division of space, the perfection of its acoustic qualities. Every celebrity could be seen, every speech could be heard. The routine of organization, the choice of officers and committees, and the presentation of credentials were full of variety and zest. Governor Edwin D. Morgan, of New York, as Chairman of the National Republican Committee, called the convention to order; and

CHAP. XV. when he presented the historic name of David Wilmot, of Pennsylvania, for temporary chairman, the faith of the audience in the judgment of the managers was already won. The report of the committee on organization in the afternoon made George Ashmun, of Massachusetts, a most skillful parliamentarian ready in decision and felicitous in his phrases, the permanent presiding officer. One thing was immediately and specially manifest: an overflowing heartiness and deep feeling pervaded the whole house. No need of a *claque*, no room for sham demonstration here! The galleries were as watchful and earnest as the platform. There was something genuine, elemental, uncontrollable in the moods and manifestations of the vast audience. Seats and standing-room were always packed in advance, and, as the delegates entered by their own separate doors, the crowd easily distinguished the chief actors. Blair, Giddings, Greeley, Evarts, Kelley, Wilmot, Schurz, and others were greeted with spontaneous applause, which, rising at some one point, grew and rolled from side to side and corner to corner of the immense building, brightening the eyes and quickening the breath of every inmate.[1]

With the second day's proceedings the interest of delegates and spectators was visibly increased, first by some sharp-shooting speeches about credentials, and secondly by the main event of the day — the report from the platform committee. Much difficulty was expected on this score, but a little time

[1] One of the authors of this history was a spectator at all the sessions of the convention, and witnessed the scenes in the Wigwam which he has endeavored to describe.

had smoothed the way with almost magical effect. The great outpouring of delegates and people, the self-evident success of the gathering, the harmonious, almost joyous, beginning of the deliberations in the first day's session, were more convincing than logic in solidifying the party. These were the premonitions of success; before such signs of victory all spirit of faction was fused into a generous glow of emulation. CHAP. XV.

The eager convention would have accepted a weak or defective platform; the committee, on the contrary, reported one framed with remarkable skill. It is only needful to recapitulate its chief points. It denounced disunion, Lecomptonism, the property theory, the dogma that the Constitution carries slavery to Territories, the reopening of the slave-trade, the popular sovereignty and non-intervention fallacies, and denied "the authority of Congress, of a Territorial Legislature, or of any individuals to give legal existence to slavery in any Territory of the United States." It opposed any change in the naturalization laws. It recommended an adjustment of import duties to encourage the industrial interests of the whole country. It advocated the immediate admission of Kansas, free homesteads to actual settlers, river and harbor improvements of a national character, and a railroad to the Pacific Ocean. Bold on points of common agreement, it was unusually successful in avoiding points of controversy among its followers, or offering points for criticism to its enemies.

It is not surprising that Charleston and Chicago should furnish many striking contrasts. At the Charleston Convention, the principal personal in-

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cident was a long and frank speech from one Gaulden, a Savannah slave-trader, in advocacy of the reopening of the African slave-trade.[1] In the Chicago Convention, the exact and extreme opposite of such a theme created one of the most interesting of the debates. The platform had been read and received with tremendous cheers, when Mr. Giddings, of Ohio, who was everywhere eager to insist upon what he designated as the "primal truths" of the Declaration of Independence, moved to amend the first resolution by incorporating in it the phrase which announces the right of all men to "life, liberty, and the pursuit of happiness." The convention was impatient to adopt the platform without change; several delegates urged objections, one of them pertinently observing that there were also many other truths enunciated in the Declaration of Independence. "Mr. President," said he, "I believe in the ten commandments, but I do not want them in a political platform." Mr. Giddings's amendment was voted down, and the

[1] I tell you, fellow-Democrats, that the African slave-trader is the true Union man [cheers and laughter]. I tell you that the slave-trading of Virginia is more immoral, more unchristian in every possible point of view, than that African slave-trade which goes to Africa and brings a heathen and worthless man here, christianizes him, and sends him and his posterity down the stream of time to enjoy the blessings of civilization. . . It has been my fortune to go into that noble old State to buy a few darkies, and I have had to pay from $1000 to $2000 a head, when I could go to Africa and buy better negroes for $50 apiece. . . I advocate the repeal of the laws prohibiting the African slave-trade, because I believe it to be the true Union movement. I do not believe that sections whose interests are so different as the Southern and Northern States can ever stand the shocks of fanaticism unless they be equally balanced. I believe that by reopening this trade, and giving us negroes to populate the Territories, the equilibrium of the two sections will be maintained."—Speech of W. B. Gaulden, of Georgia, in the Charleston Democratic National Convention, May 1, 1860.

antislavery veteran, feeling himself wounded in his most cherished philosophy, rose and walked out of the convention.

Personal friends, grieved that he should feel offended, and doubly sorry that the general harmony should be marred by even a single dissent, followed Mr. Giddings, and sought to change his purpose. While thus persuading him, the discussion had passed to the second resolution, when George William Curtis, of New York, seized the chance to renew substantially Mr. Giddings's amendment. There were new objections, but Mr. Curtis swept them away with a captivating burst of oratory. "I have to ask this convention," said he, "whether they are prepared to go upon the record before the country as voting down the words of the Declaration of Independence? . . . I rise simply to ask gentlemen to think well before, upon the free prairies of the West, in the summer of 1860, they dare to wince and quail before the assertions of the men in Philadelphia, in 1776—before they dare to shrink from repeating the words that these great men enunciated." "This was a strong appeal, and took the convention by storm," wrote a recording journalist. A new vote formally embodied this portion of the Declaration of Independence in the Republican platform; and Mr. Giddings, overjoyed at his triumph, had already returned to his seat when the platform as a whole was adopted with repeated and renewed shouts of applause that seemed to shake the wigwam.

Murat Halstead, "Conventions of 1860," p. 138.

The third day of the convention (Friday, May 18) found the doors besieged by an excited multitude. The preliminary business was disposed

CHAP. XV. of,—the platform was made,—and every one knew the balloting would begin. The New York delegation felt assured of Seward's triumph, and made an effort to have its march to the convention, with banners and music, unusually full and imposing. It proved a costly display; for while the New York "irregulars" were parading the streets, the Illinoisans were filling the wigwam: when the Seward procession arrived, there was little room left except the reserved seats for the delegates. New York deceived itself in another respect: it counted on the full New England strength, whereas more than half of it had already resolved to cast its vote elsewhere. This defection in advance virtually insured Seward's defeat. New York and the extreme North-west were not sufficiently strong to nominate him, and in the nature of things he could not hope for much help from the conservative middle and border States. But this calculation could not as yet be so accurately made. Caucusing was active up to the very hour when the convention met, and many delegations went to the wigwam with no definite programme beyond the first ballot.

What pen shall adequately describe this vast audience of ten thousand souls? the low, wavelike roar of its ordinary conversation; the rolling cheers that greeted the entrance of popular favorites; the solemn hush which fell upon it during the opening prayer? There was just enough of some unexpected preliminary wrangle and delay to arouse the full impatience of both convention and spectators; but at length the names of candidates were announced. This ceremony was still in its

simplicity. The more recent custom of short dramatic speeches from conspicuous and popular orators to serve as electrifying preludes had not yet been invented. "I take the liberty," said Mr. Evarts, of New York, "to name as a candidate to be nominated by this convention for the office of President of the United States, William H. Seward." "I desire," followed Mr. Judd, "on behalf of the delegation from Illinois, to put in nomination as a candidate for President of the United States, Abraham Lincoln, of Illinois." Then came the usual succession of possible and alternative aspirants who were to be complimented by the first votes of their States — William L. Dayton, Simon Cameron, Salmon P. Chase, Edward Bates, Jacob Collamer, John McLean. The fifteen minutes required by this formality had already indisputably marked out and set apart the real contestants. The "complimentary" statesmen were lustily cheered by their respective State delegations; but at the names of Seward and Lincoln the whole wigwam seemed to respond together.

There is something irresistibly exciting in the united voice of a great crowd. For a moment the struggle appeared to resolve itself into a contest of throats and lungs. Indiana seconded the nomination of Lincoln, and the applause was deafening. Michigan seconded the nomination of Seward; the New York delegation rose *en masse*, waved their hats, and joined the galleries in a shout which doubled the volume of any yet given. Then a portion of the Ohio delegates once more seconded Lincoln, and his adherents, feeling themselves put upon their mettle, made an effort. "I thought the

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Seward yell could not be surpassed," wrote a spectator; "but the Lincoln boys were clearly ahead, and, feeling their victory, as there was a lull in the storm, took deep breaths all round, and gave a concentrated shriek that was positively awful, and accompanied it with stamping that made every plank and pillar in the building quiver."

Halstead, "Conventions of 1860," p. 145.

The tumult gradually died away, and balloting began. Here we may note another contrast. The Charleston Convention was reactionary and exclusive; it followed the two-thirds rule. The Chicago Convention was progressive and liberal; it adopted majority rule. Liberal even beyond this, it admitted the Territories and border slave States, containing only a minority or fraction of Republican sentiment, to seats and to votes. It was throwing a drag-net for success. Under different circumstances, these sentimental delegations might have become powerful in intrigue; but dominated as they were by deeper political forces, they afforded no distinct advantage to either candidate.[1]

Though it was not expected to be decisive, the first ballot foreshadowed accurately the final result. The "complimentary" candidates received the tribute of admiration from their respective States. Vermont voted for Collamer, and New Jersey for Dayton, each solid.[2] Pennsylvania's compliment

[1] These sentimental delegations were: Maryland, 11; Delaware, 6; Virginia, 23; Kentucky, 23; Texas, 6; Kansas, 6; Nebraska, 6; District of Columbia, 2. Total, 83 votes. Of these the leading candidates received as follows:

1st ballot...	Seward, 30...	Lincoln, 21
2d " ...	" 35...	" 30
3d " ...	" 33...	" 43

Missouri might be counted in the same category; but, as she voted steadily for Bates through all the ballots, she did not in any wise influence the result.

[2] Each State was entitled to cast a vote equal to double the number of its Electoral College.

to Cameron was shorn of six votes, four of which went at once for Lincoln. Ohio divided her compliment, 34 for Chase, 4 for McLean, and at once gave Lincoln her 8 remaining votes. Missouri voted solid for her candidate, Bates, who also received a scattering tribute from other delegations. But all these compliments were of little avail to their recipients, for far above each towered the aggregates of the leading candidates: Seward, 173½; Lincoln, 102.[1]

In the groundswell of suppressed excitement which pervaded the convention there was no time to analyze this vote; nevertheless, delegates and spectators felt the full force of its premonition; to all who desired the defeat of Seward it pointed out the winning man with unerring certainty. Another little wrangle over some disputed and protesting delegate made the audience almost furious at the delay, and "Call the roll!" sounded from a thousand throats.

[1] FIRST BALLOT IN DETAIL.

For Seward.—Maine 10, New Hampshire 1, Massachusetts 21, New York 70, Pennsylvania 1½, Maryland 3, Virginia 8, Kentucky 5, Michigan 12, Texas 4, Wisconsin 10, Iowa 2, California 8, Minnesota 8, Kansas 6, Nebraska 2, District of Columbia 2.—Total for Seward, 173½.

For Lincoln.—Maine 6, New Hampshire 7, Massachusetts 4, Connecticut 2, Pennsylvania 4, Virginia 14, Kentucky 6, Ohio 8, Indiana 26, Illinois 22, Iowa 2, Nebraska 1.—Total for Lincoln, 102.

Scattering.—New Hampshire, Chase 1, Frémont 1; Vermont, Collamer 10; Rhode Island, Bates 1, McLean 5, Reed 1, Chase 1; Connecticut, Wade 1, Bates 7, Chase 2; New Jersey, Dayton 14; Pennsylvania, Cameron 47½, McLean 1; Maryland, Bates 8; Delaware, Bates 6; Virginia, Cameron 1; Kentucky, Wade 2, McLean 1, Chase 8, Sumner 1; Ohio, McLean 4, Chase 34; Missouri, Bates 18; Texas, Bates 2; Iowa, Cameron 1, Bates 1, McLean 1, Chase 1; Oregon, Bates 5; Nebraska, Cameron 1, Chase 2.—Totals, for Bates, 48; for Cameron, 50½; for McLean, 12; for Chase, 49; for Wade, 3; for Dayton, 14; for Reed, 1; for Collamer, 10; for Sumner, 1; for Frémont, 1.

CHAP. XV. A second ballot was begun at last, and, obeying a force as sure as the law of gravitation, the former complimentary votes came rushing to Lincoln. The whole 10 votes of Collamer, 44 from Cameron, 6 from Chase and McLean, were now cast for him, followed by a scatter of additions along the roll-call. In this ballot Lincoln gained 79 votes, Seward only 11. The faces of the New York delegation whitened as the balloting progressed and the torrent of Lincoln's popularity became a river. The result of the second ballot was: Seward, 184½; Lincoln, 181; scattering, 99½.[1] When the vote of Lincoln was announced, there was a tremendous burst of applause, which the chairman prudently but with difficulty controlled and silenced.

The third ballot was begun amid a breathless suspense; hundreds of pencils kept pace with the roll-call, and nervously marked the changes on their tally-sheets. The Lincoln figures steadily grew. Votes came to him from all the other candidates — 4½ from Seward, 2 from Cameron, 13

[1] SECOND BALLOT IN DETAIL.

For Seward.— Maine 10, New Hampshire 1, Massachusetts 22, New York 70, New Jersey 4, Pennsylvania 2½, Maryland 3, Virginia 8, Kentucky 7, Michigan 12, Texas 6, Wisconsin 10, Iowa 2, California 8, Minnesota 8, Kansas 6, Nebraska 3, District of Columbia 2.— Total for Seward, 184½.

For Lincoln.— Maine 6, New Hampshire 9, Vermont 10, Massachusetts 4, Rhode Island 3, Connecticut 4, Pennsylvania 48, Delaware 6, Virginia 14, Kentucky 9, Ohio 14, Indiana 26, Illinois 22, Iowa 5, Nebraska 1.— Total for Lincoln, 181.

Scattering.— Rhode Island, McLean 2, Chase 3; Connecticut, Bates 4, Chase 2, Clay 2; New Jersey, Dayton 10; Pennsylvania, Cameron 1, McLean 2½; Maryland, Bates 8; Virginia, Cameron 1; Kentucky, Chase 6; Ohio, McLean 3, Chase 29; Missouri, Bates 18; Iowa, McLean ½, Chase ½; Oregon, Bates 5; Nebraska, Chase 2.—Totals, for Bates, 35; for Cameron, 2; for McLean, 8; for Chase, 42½; for Dayton, 10; for Clay, 2.

from Bates, 18 from Chase, 9 from Dayton, 3 from McLean, 1 from Clay. Lincoln had gained 50½, Seward had lost 4½. Long before the official tellers footed up their columns, spectators and delegates rapidly made the reckoning and knew the result: Lincoln, 231½; Seward, 180.[1] Counting the scattering votes, 465 ballots had been cast, and 233 were necessary to a choice; only 1½ votes more were needed to make a nomination.

A profound stillness suddenly fell upon the wigwam; the men ceased to talk and the ladies to flutter their fans; one could distinctly hear the scratching of pencils and the ticking of telegraph instruments on the reporters' tables. No announcement had been made by the chair; changes were in order, and it was only a question of seconds who should speak first. While every one was leaning forward in intense expectancy, David K. Cartter sprang upon his chair and reported a change of four Ohio votes from Chase to Lincoln. There was a moment's pause,—a teller

[1] THIRD BALLOT IN DETAIL.

For Seward.—Maine 10, New Hampshire 1, Massachusetts 18, Rhode Island 1, Connecticut 1, New York 70, New Jersey 5, Maryland 2, Virginia 8, Kentucky 6, Michigan 12, Texas 6, Wisconsin 10, Iowa 2, California 8, Minnesota 8, Oregon 1, Kansas 6, Nebraska 3, District of Columbia 2.— Total for Seward, 180.

For Lincoln.—Maine 6, New Hampshire 9, Vermont 10, Massachusetts 8, Rhode Island 5, Connecticut 4, New Jersey 8, Pennsylvania 52, Maryland 9, Delaware 6, Virginia 14, Kentucky 13, Ohio 29, Indiana 26, Illinois 22, Iowa 5½, Oregon 4, Nebraska 1.— Total for Lincoln, 231½.

Scattering.— Rhode Island, Chase 1, McLean 1; Connecticut, Bates 4, Chase 2, Clay 1; New Jersey, Dayton 1; Pennsylvania, McLean 2; Kentucky, Chase 4; Ohio, Chase 15, McLean 2; Missouri, Bates 18; Iowa, Chase ½; Nebraska, Chase 2.—Total, for Bates, 22; for Chase, 24½; for McLean, 5; for Dayton, 1; for Clay, 1.

Springfield, Ill. May 23. 1860

Hon: George Ashmun.

President of the Republican National Convention.

Sir:

I accept the nomination tendered me by the Convention over which you presided, and of which I am formally apprized in the letter of yourself and others, acting as a Committee of the Convention, for that purpose.

The declaration of principles and sentiments, which accompanies your letter, meets my [redacted] approval; and it shall be my care not to violate, or disregard it, in any part.

Imploring the assistance of Divine Providence, and with due regard to the views and feelings of all who were represented in the Convention; to the rights of all the states, and territories, and people of the nation; to the inviolability of the Constitution, and the perpetual union, harmony, and prosperity of all, I am most happy to co-operate for the practical success of the principles declared by the Convention.

Your obliged friend, and fellow citizen

A. Lincoln

FAC-SIMILE OF LINCOLN'S LETTER OF ACCEPTANCE.

waved his tally-sheet towards the skylight and shouted a name,— and then the boom of a cannon on the roof of the wigwam announced the nomination to the crowds in the streets, where shouts and salutes took up and spread the news. In the convention the Lincoln river now became an inundation. Amid the wildest hurrahs, delegation after delegation changed its vote to the victor.

A graceful custom prevails in orderly American conventions, that the chairman of the vanquished delegation is first to greet the nominee with a short address of party fealty and promise of party support. Mr. Evarts, the spokesman for New York, essayed promptly to perform this courteous office, but was delayed a while by the enthusiasm and confusion. The din at length subsided, and the presiding officer announced that on the third ballot Abraham Lincoln, of Illinois, received 364 votes, and "is selected as your candidate for President of the United States." Then Mr. Evarts, in a voice of unconcealed emotion, but with admirable dignity and touching eloquence, speaking for Seward and for New York, moved to make the nomination unanimous.

The interest in a National Convention usually ceases with the announcement of the principal nomination. It was only afterwards that the delegates realized how fortunate a selection they made by adding Hannibal Hamlin, of Maine, to the ticket as candidate for Vice-President. Mr. Hamlin was already distinguished in public service. He was born in 1809, and became a lawyer by profession. He served many years in the Maine Legislature and four years as a Representative in Congress.

CHAP. XV. In 1848 he was chosen to fill a vacancy in the United States Senate, and in 1851 was reëlected for a full term. When in 1856 the Cincinnati Convention indorsed the repeal of the Missouri Compromise, which he had opposed, Mr. Hamlin formally withdrew from the Democratic party. In November of that year the Republicans elected him Governor of Maine, and in January, 1857, re-elected him United States Senator.

For the moment the chief self-congratulation of the convention was that by the nomination of Lincoln it had secured the doubtful vote of the conservative States. Or rather, perhaps, might it be said that it was hardly the work of the delegates — it was the concurrent product of popular wisdom. Political evolution had with scientific precision wrought "the survival of the fittest." The delegates leaving Chicago on the various homeward-bound railroad trains that night, saw that already the enthusiasm of the convention was transferred from the wigwam to the country. "At every station where there was a village, until after 2 o'clock, there were tar-barrels burning, drums beating, boys carrying rails, and guns great and small banging away. The weary passengers were allowed no rest, but plagued by the thundering of the cannon, the clamor of drums, the glare of bonfires, and the whooping of boys, who were delighted with the idea of a candidate for the Presidency who thirty years before split rails on the Sangamon River — classic stream now and for evermore — and whose neighbors named him 'honest.'"

Halstead, "Conventions of 1860," p. 154.

CHAPTER XVI

LINCOLN ELECTED

THUS the Presidential canvass in the United States for the year 1860 began with the very unusual condition of four considerable parties, and four different tickets for President and Vice-President. In the order of popular strength, as afterwards shown, they were:

First. The Republican party, which at the Chicago Convention had nominated as its candidate for President, Abraham Lincoln, of Illinois, and for Vice-President, Hannibal Hamlin, of Maine. Its animating spirit was a belief and declaration that the institution of slavery was wrong in morals and detrimental to society; its avowed policy was to restrict slavery to its present limits in the States where it existed by virtue of local constitutions and laws.

Second. The Douglas wing of the Democratic party, which at Baltimore nominated Stephen A. Douglas, of Illinois, for President, and whose candidate for Vice-President was Herschel V. Johnson, of Georgia.[1] It declared indifference as

[1] Benjamin Fitzpatrick, of Alabama, had been nominated at Baltimore, but he declined the nomination, and the National Committee substituted the name of Herschel V. Johnson.

CHAP. XVI. to the moral right or wrong of slavery, and indifference to its restriction or extension. Its avowed policy was to permit the people of a Territory to decide whether they would prevent or establish slavery, and it further proposed to abide by the decisions of the Supreme Court on all questions of constitutional law growing out of it.

Third. The Buchanan wing of the Democratic party, which at Baltimore nominated John C. Breckinridge, of Kentucky, for President, and Joseph Lane, of Oregon, for Vice-President. Its animating spirit was a belief and declaration that slavery was morally right and politically beneficial; its avowed policy was the extension of slavery into the Territories, and the creation of new slave States, whereby it might protect and perpetuate itself by a preponderance, or at least a constant equality, of political power, especially in the Senate of the United States. As one means to this end, it proposed the immediate acquisition of the island of Cuba.

Fourth. The Constitutional Union party, which in its convention at Baltimore nominated John Bell, of Tennessee, for President, and Edward Everett, of Massachusetts, for Vice-President. It professed to ignore the question of slavery, and declared that it would recognize no political principle other than "the Constitution of the Country, the Union of the States, and the enforcement of the Laws."

The first, most striking feature of the four-sided Presidential canvass which now began, was the personal pledge by every one of the candidates of devotion to the Union. Each of the factions was

in some form charging disunion motives or tendencies upon part or all of the others; but each indignantly denied the allegation as to itself. To leave no possible doubt, the written letters of acceptance of each of the candidates emphasized the point. Lincoln invoked "the inviolability of the Constitution, and the perpetual union, harmony, and prosperity of all." Douglas made his pledge broad and full. "The Federal Union," wrote he, "must be preserved. The Constitution must be maintained inviolate in all its parts. Every right guaranteed by the Constitution must be protected by law in all cases where legislation is necessary to its enjoyment. The judicial authority, as provided in the Constitution, must be sustained, and its decisions implicitly obeyed and faithfully executed. The laws must be administered, and the constituted authorities upheld, and all unlawful resistance to these things must be put down with firmness, impartiality, and fidelity." "The Constitution and the equality of the States," wrote Breckinridge, "these are symbols of everlasting union. Let these be the rallying cries of the people." Bell declared that, if elected, all his ability, strength of will, and official influence should be employed "for the maintenance of the Constitution and the Union against all opposing influences and tendencies." Even President Buchanan, in a little campaign speech from the portico of the Executive mansion, hastened to purge himself of the imputation of suspicion or fear on this point. He declared that neither of the Democratic conventions was "regular," and that therefore every Democrat was at liberty to vote as he thought

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proper. For himself, he preferred Breckinridge. The Democratic party, when divided for the moment, "has always closed up its ranks, and become more powerful even from defeat. It will never die whilst the Constitution and the Union survive. It will live to protect and defend both."

Curtis, "Life of Buchanan," Vol. II., p. 294.

No progress was made, however, towards a reunion of the Democratic party. The Buchanan faction everywhere waged unrelenting war on Douglas, both in public discussion and in the use of official patronage. The contest was made with equal obstinacy and bitterness in the Northern and the Southern States. Douglas, on his part, was not slow to retaliate. He immediately entered on an extensive campaign tour, and made speeches at many of the principal cities of the Northern States, and a few in the slave States. Everywhere he stigmatized the Breckinridge wing of the Democracy as an extremist and disunion faction,[1] charging that it was as obnoxious and dangerous as the Republicans. Whatever be his errors, it must be recorded to his lasting renown that he boldly declared for maintaining the Union by force. At Norfolk, Virginia, the question was put to him in writing. "I answer emphatically," replied Douglas, "that it is the duty of the President of the United States, and all others in authority under him, to enforce the laws of the United States passed by Congress, and as the courts expound them, and I, as in duty bound

[1] "In my opinion there is a mature plan throughout the Southern States to break up the Union. I believe the election of a Republican is to be the signal for that attempt, and that the leaders of the scheme desire the election of Lincoln so as to have an excuse for disunion. I do not believe that every Breckinridge man is a disunionist, but I do believe that every disunionist in America is a Breckinridge man." — Douglas, Baltimore Speech, Sept. 6, 1860.

by my oath of fidelity to the Constitution, would do all in my power to aid the Government of the United States in maintaining the supremacy of the laws against all resistance to them, come from what quarter it might. In other words, I think the President, whoever he may be, should treat all attempts to break up the Union by resistance to the laws, as Old Hickory treated the nullifiers in 1832."

Douglas, Norfolk Speech, August 25, 1860.

All parties entered upon the political canvass with considerable spirit; but the chances of the Republicans were so manifestly superior that their enthusiasm easily outran that of all their competitors. The character and antecedents of Mr. Lincoln appealed directly to the sympathy and favor of the popular masses of the Northern States. As pioneer, farm-laborer, flat-boatman, and frontier politician, they saw in him a true representative of their early if not their present condition. As the successful lawyer, legislator, and public debater in questions of high statesmanship, he was the admired ideal of their own aspirations.

While the Illinois State Republican Convention was in session at Decatur (May 10), about a week before the Chicago Convention, the balloting for State officers was interrupted by the announcement, made with much mystery, that "an old citizen of Macon County" had something to present to the convention. When curiosity had been sufficiently aroused, John Hanks, Lincoln's fellow-pioneer, and a neighbor of Hanks, were suddenly marched into the convention, each bearing upright an old fence-rail, and displaying a banner with an inscription to the effect that these were two rails

CHAP. XVI. from the identical lot of three thousand which, when a pioneer boy, Lincoln had helped to cut and split to inclose his father's first farm in Illinois, in 1830. These emblems of his handiwork were received by the convention with deafening shouts, as a prelude to a unanimous resolution recommending him for President. Later, these rails were sent to Chicago; there, during the sittings of the National Republican Convention, they stood in the hotel parlor at the Illinois headquarters, lighted up by tapers, and trimmed with flowers by enthusiastic ladies. Their history and campaign incidents were duly paraded in the newspapers; and throughout the Union Lincoln's ancient and local *sobriquet* of "Honest Old Abe" was supplemented by the national epithet of "The Illinois Rail-splitter." Of the many peculiarities of the campaign, one feature deserves special mention. Political clubs, for parades and personal campaign work, were no novelty; now, however, the expedients of a cheap yet striking uniform and a half-military organization were tried with marked success. When Lincoln made his New England trip, immediately after the Cooper Institute speech, a score or two of active Republicans in the city of Hartford appeared in close and orderly ranks, wearing each a cap and large cape of oil-cloth, and bearing over their shoulders a long staff, on the end of which blazed a brilliant torch-light. This first "Wide Awake"[1]

[1] We condense the following account of the origin of the "Wide Awakes" from memoranda kindly furnished us by William P. Fuller, one of the editors of the Hartford "Courant" in 1860, Major J. C. Kinney, at present connected with the paper, and General Joseph R. Hawley, the principal editor, now United

Club, as it called itself, marching with soldierly step, and military music, escorted Mr. Lincoln, on the evening of March 5, from the hall where he addressed the people, to his hotel. The device was so simple and yet so strikingly effective that it immediately became the pattern for other cities. After the campaign opened, there was scarcely a county or village in the North without its organized and

States Senator from Connecticut, and who in 1860 marched in the ranks in the first "Wide Awake" parades.

The "Wide Awake" organization grew out of the first campaign meeting in Hartford on February 25, 1860 — State election campaign. Hon. Cassius M. Clay was the speaker, and after the meeting was escorted to the Allyn House by a torch-light parade. Two of the young men who were to carry torches, D. G. Francis and H. P. Blair, being dry-goods clerks, in order to protect their clothing from dust and the oil liable to fall from the torches, had prepared capes of black cambric, which they wore in connection with the glazed caps commonly worn at the time. Colonel George P. Bissell, who was marshal, noticing the uniform, put the wearers in front, where the novelty of the rig and its double advantage of utility and show attracted much attention. It was at once proposed to form a campaign club of fifty torch-bearers with glazed caps and oil-cloth capes instead of cambric; the torch-bearing club to be "auxiliary to the Young Men's Republican Union." A meeting to organize formally was appointed for March 6; but before the new uniforms were all ready, Abraham Lincoln addressed a meeting in Hartford on the evening of March 5. After his speech, the cape-wearers of the previous meeting with a number of others who had secured their uniforms escorted Mr. Lincoln to the hotel.

The club was definitely organized on the following night. William P. Fuller, city editor, had, in noticing this meeting for organization, written in the "Courant" of March 3: "THE WIDE AWAKES. — The Republican club-room last evening was filled as usual with those who are going to partake in the great Republican triumph in this State in April next," etc., etc. The name "Wide Awakes" was here applied to the Republican Young Men's Union, torch-bearers included; but at the meeting of March 6, the torch-bearers appropriated it by making it the distinctive title to their own special organization, which almost immediately, there as elsewhere, swallowed up the names and the memberships of other Republican clubs. Just one year after they escorted Mr. Lincoln in their first parade, he was inaugurated President of the United States.

CHAP. XVI. drilled association of "Wide Awakes," immensely captivating to the popular eye, and forming everywhere a vigilant corps to spread the fame of, and solicit votes for, the Republican Presidential candidate. On several occasions twenty to thirty thousand "Wide Awakes" met in the larger cities and marched in monster torch-light processions through the principal streets.

His nomination also made necessary some slight changes in Mr. Lincoln's daily life. His law practice was transferred entirely to his partner, and instead of the small dingy office so long occupied by him, he was now given the use of the Governor's room in the State-house, which was not needed for official business during the absence of the Legislature. This also was a room of modest proportions, with scanty and plain furniture. Here Mr. Lincoln, attended only by his private secretary, Mr. Nicolay, passed the long summer days of the campaign, receiving the constant stream of visitors anxious to look upon a real Presidential candidate. There was free access to him; not even an usher stood at the door; any one might knock and enter. His immediate personal friends from Sangamon County and central Illinois availed themselves largely of this opportunity. With men who had known him in field and forest he talked over the incidents of their common pioneer experience with unaffected sympathy and interest, as though he were yet the flat-boatman, surveyor, or village lawyer of the early days. The letters which came to him by hundreds, the newspapers, and the conversation of friends, kept him sufficiently informed of the progress of the campaign, in which person-

ally he took a very slight part. He made no addresses, wrote no public letters, held no conferences. Political leaders several times came to make campaign speeches at the Republican wigwam in Springfield. But beyond a few casual interviews on such occasions, the great Presidential canvass went on with scarcely a private suggestion or touch of actual direction from the Republican candidate. CHAP. XVI.

It is perhaps worth while to record Lincoln's expression on one point, which adds testimony to his general consistency in political action. The rise of the Know-Nothing or the American party, in 1854–5 (which was only a renewal of the Native-American party of 1844), has been elsewhere mentioned. As a national organization, the new faction ceased with the defeat of Fillmore and Donelson in 1856; its fragments nevertheless held together in many places in the form of local minorities, which sometimes made themselves felt in contests for members of the Legislature and county officers; and citizens of foreign birth continued to be justly apprehensive of its avowed jealousy and secret machinery. It was easy to allege that any prominent candidate belonged to the Know-Nothing party, and attended the secret Know-Nothing lodges; and Lincoln, in the late Senatorial, and now again in the Presidential, campaign, suffered his full share of these newspaper accusations.

We have already mentioned that in the campaign of 1844 he put on record, by public resolutions in Springfield, his disapprobation of, and opposition to, Native-Americanism. In the later campaigns, while he did not allow his attention to

CHAP. XVI.

be diverted from the slavery discussion, his disapproval of Know-Nothingism was quite as decided and as public. Thus he wrote in a private letter, dated October 30, 1858: "I understand the story is still being told and insisted upon that I have been a Know-Nothing. I repeat what I stated in a public speech at Meredosia, that I am not, nor ever have been, connected with the party called the Know-Nothing party, or party calling themselves the American party. Certainly no man of truth, and I believe no man of good character for truth, can be found to say on his own knowledge that I ever was connected with that party."

Lincoln to Edward Lusk, October 30, 1858. MS.

So also in the summer of 1860, when his candidacy for President did not permit his writing public letters, he wrote in a confidential note to a friend: "Yours of the 20th is received. I suppose as good or even better men than I may have been in American or Know-Nothing lodges; but, in point of fact, I never was in one, at Quincy or elsewhere. . . And now a word of caution. Our adversaries think they can gain a point if they could force me to openly deny the charge, by which some degree of offense would be given to the Americans. For this reason it must not publicly appear that I am paying any attention to the charge."

Lincoln to Hon. A. Jonas, July 21, 1860. MS.

His position on the main question involved was already sufficiently understood; for in his elsewhere quoted letter of May 17, 1859, he had declared himself against the adoption by Illinois, or any other place where he had a right to oppose it, of the recent Massachusetts constitutional provision restricting foreign-born citizens in the right of suffrage. It is well to repeat the broad philosophical

JOHN BELL.

principle which guided him to this conclusion: "Understanding the spirit of our institutions to aim at the elevation of men, I am opposed to whatever tends to degrade them."

Lincoln to Dr. Theodore Canisius, May 17, 1859.

As the campaign progressed the chances of the result underwent an important fluctuation, involving some degree of uncertainty. The Democratic disruption, and the presence of four tickets in the field, rendered it possible that some very narrow plurality in one or more of the States might turn the scale of victory. Calculating politicians, especially those belonging to the party hitherto in power, and who had enjoyed the benefits of its extensive Federal patronage, seized eagerly upon this possibility as a means of prolonging their official tenure, and showed themselves not unwilling to sacrifice the principles of the general contest to the mere material and local advantage which success would bring them.

Accordingly, in several States, and more notably in the great State of New York, there was begun a quiet but unremitting effort to bring about a coalition or "fusion," as it was termed, of the warring Democratic factions, on the basis of a division of the spoils which such a combination might hope to secure. Nor did the efforts stop there. If the union of the two factions created the probability, the union of three seemed to insure certainty, and the negotiations for a coalition, therefore, extended to the adherents of Bell and Everett. Amid the sharp contest of ideas and principles which divided the country, such an arrangement was by no means easy; yet in a large voting population there is always a percentage of party followers on whom

CHAP. XVI. the obligations of party creeds sit lightly. Gradually, from talk of individuals and speculations of newspapers, the intrigue proceeded to a coquetting between rival conventions. Here the formal proceedings encountered too much protest and indignation, and the scheme was handed over to standing committees, who could deliberate and bargain in secret. It must be stated to the credit of Douglas, that he publicly rejected any alliance not based on his principle of "non-intervention";[1] but the committees and managers cared little for the disavowal. In due time they perfected their agreement that the New York electoral ticket (numbering thirty-five) should be made up of adherents of the three different factions in the following proportion: Douglas, eighteen; Bell, ten; Breckinridge, seven. This agreement was carried out, and the fusion ticket thus constituted was voted for at the Presidential election by the combined opponents of Lincoln.

Greeley, "American Conflict," Vol. I., p. 324.

In Pennsylvania, notwithstanding that Douglas disapproved the scheme, an agreement or movement of fusion also took place; but in this case it did not become complete, and was not altogether

[1] "I will give you my opinion as to fusion. I think that every man [*sic*] who believes that slavery ought to be banished from the halls of Congress, and remanded to the people of the Territories subject to the Constitution, ought to fuse and act together; but that no Democrat can, without dishonor, and forfeiture of self-respect and principle, fuse with anybody who is in favor of intervention, either for slavery or against slavery. Lincoln and Breckinridge might fuse, for they agree in principle. I can never fuse with either of them, because I differ from both. I am in favor of all men acting together who are opposed to this slavery agitation, and in favor of banishing it from Congress forever; but as Democrats we can never fuse, either with Northern abolitionists, or Southern bolters and secessionists."—Douglas, Speech at Erie, Penn., New York "Tribune," October 3, 1860, p. 4.

carried out by the parties to it, as in New York. The electoral ticket had been nominated by the usual Democratic State Convention (March 1) prior to the Charleston disruption, and, as it turned out, about one-third of these nominees were favorable to Douglas. After the disruption, the Douglas men also formed a straight, or Douglas, electoral ticket. In order to unite the two wings at the October State election, the Executive Committee of the original convention recommended (July 2) that the electors first nominated should vote for Douglas if his election were possible; if not, should vote for Breckinridge. A subsequent resolution (August 9) recommended that the electors should vote for either Douglas or Breckinridge, as the preponderance of Douglas or Breckinridge votes in the State might indicate. On some implied agreement of this character, not clearly defined or made public, the Douglas, Breckinridge, and Bell factions voted together for governor in October. Being beaten by a considerable majority at that election, the impulse to fusion was greatly weakened. Finally, the original Democratic State Committee rescinded (October 12) all its resolutions of fusion, and the Douglas State Committee withdrew (October 18) its straight Douglas ticket. This action left in the field the original electoral ticket nominated by the Democratic State Convention at Reading, prior to the Charleston Convention, untrammeled by any instructions or agreements. It was nevertheless a fusion ticket in part, because nine of the candidates (one-third of the whole number) were pledged to Douglas. What share or promise the Bell faction had in it was not made

CHAP. XVI. public. At the Presidential election it was voted for by a large number of fusionists; but a portion of the Douglas men voted straight for Douglas, and a portion of the Bell men straight for Bell.[1]

In New Jersey also a definite fusion agreement was reached between the Bell, Breckinridge, and Douglas factions. An electoral ticket was formed, composed of two adherents of Bell, two of Breckinridge, and three of Douglas. This was the only State in which the fusion movement produced any result in the election. It turned out that a considerable fraction of the Douglas voters refused to be transferred by the agreement which their local managers had entered into. They would not vote for the two Bell men and the two Breckinridge men on the fusion ticket, but ran a straight Douglas ticket, adopting the three electors on the fusion ticket. By this turn of the canvass the three Douglas electors whose names were on both tickets were chosen, but the remainder of the fusion ticket was defeated, giving Lincoln four electoral votes out of the seven in New Jersey. Some slight efforts towards fusion were made in two or three other States, but accomplished nothing worthy of note, and would have had no influence on the result, even had it been consummated.

Greeley, "American Conflict," Vol. I., p. 328.

Ibid., p. 328.

All these efforts to avert or postpone the grave political change which was impending were of no avail. In the long six years' agitation popular intelligence had ripened to conviction and determination. Every voter substantially understood the several phases of the great slavery issue, its ab-

[1] The vote in Pennsylvania stood: Lincoln, 268,030; Breckinridge (nominally), 178,871; Douglas, 16,765; Bell, 12,776.

stract morality, its economic influence on society, the intrigue of the Administration and the Senate to make Kansas a slave State, the judicial status of slavery as expounded in the Dred Scott decision, the validity and the effect of the fugitive-slave law, the question of the balance of political power as involved in the choice between slavery extension and slavery restriction — and, reaching beyond even this, the issue so clearly presented by Lincoln whether the States ultimately should become all slave or all free. In the whole history of American politics the voters of the United States never pronounced a more deliberate judgment than that which they recorded upon these grave questions at the Presidential election in November, 1860.

From much doubt and uncertainty at its beginning, the campaign swept onward through the summer months, first to a probability, then to an assurance of Republican success. In September the State of Maine elected a Republican governor by 18,000 majority. In October the pivotal States gave decisive Republican majorities: Pennsylvania 32,000 for governor, Indiana nearly 10,000 for governor, and Ohio 12,000 for State ticket and 27,000 on Congressmen. Politicians generally conceded that the vote in these States clearly foreshadowed Lincoln's election. The prophecy not only proved correct, but the tide of popular conviction and enthusiasm, rising still higher, carried to his support other States which were yet considered uncertain.

The Presidential election occurred on November 6, 1860. In seventeen of the free States — namely, Maine, New Hampshire, Massachusetts, Rhode

CHAP. XVI. Island, Connecticut, Vermont, New York, Pennsylvania, Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Iowa, California, and Oregon — all the Lincoln electors were chosen. In one of the free States (New Jersey) the choice resulted in 4 electors for Lincoln and 3 for Douglas, as already explained. This assured Lincoln of the votes of 180 Presidential electors, or a majority of 57 in the whole electoral college. The 15 slave States were divided between the other three candidates. Eleven of them — Alabama, Arkansas, Delaware, Florida, Georgia, Louisiana, Maryland, Mississippi, North Carolina, South Carolina, and Texas — chose Breckinridge electors, 72 in all. Three of them — Kentucky, Tennessee, and Virginia — chose Bell electors, 39 in all; and one of them — Missouri — Douglas electors, 9 in number, which, together with the 3 he received in the free State of New Jersey, gave him 12 in all: the aggregate of all the electors opposed to Lincoln being 123.

The will of the people as expressed in this popular vote was in due time carried into execution. As the law prescribes, the Presidential electors met in their several States on the 5th of December, and cast their official votes according to the above enumeration. And on the 13th of February, 1861, the Congress of the United States in joint session made the official count, and declared that Abraham Lincoln, having received a majority of the votes of Presidential electors, was duly elected President of the United States for four years, beginning March 4, 1861.

One feature of the result must not be omitted. Many careless observers felt at the time that the

success of Lincoln was due entirely to the fact of there having been three opposing candidates in the field; or, in other words, to the dissensions in the Democratic party, which divided its vote between Breckinridge and Douglas. What merely moral strength the Democratic party would have gained had it remained united, it is impossible to estimate. Such a supposition can only be based on the absence of the extreme Southern doctrines concerning slavery. Given the presence of those doctrines in the canvass, no hypothesis can furnish a result different from that which occurred. In the contest upon the questions as they existed, the victory of Lincoln was certain. If all the votes given to all the opposing candidates had been concentrated and cast for a "fusion ticket," as was wholly or partly done in five States, the result would have been changed nowhere except in New Jersey, California, and Oregon; Lincoln would still have received but 11 fewer, or 169 electoral votes — a majority of 35 in the entire electoral college. It was a contest of ideas, not of persons or parties. The choice was not only free, but distinct and definite. The voter was not, as sometimes happens, compelled to an imperfect or partial expression of his will. The four platforms and candidates offered him an unusual variety of modes of political action. Among them the voters by undisputed constitutional majorities, in orderly, legal, and unquestioned proceedings, chose the candidate whose platform pronounced the final popular verdict that slavery should not be extended, and whose election unchangeably transferred the balance of power to the free States.

CHAPTER XVII

BEGINNINGS OF REBELLION

CH. XVII. DISUNION was not a fungus of recent growth in American politics. Talk of disunion, threats of disunion, accusations of intentions of disunion, lie scattered rather plentifully through the political literature of the country from the very formation of the Government. In fact, the present Constitution of the United States was strenuously opposed by large political factions, and, it may almost be said, succeeded by only a hair's-breadth. That original opposition perpetuated itself in some degree in the form of doubts of its duration and prophecies of its failure. The same dissatisfaction and restlessness resulted in early and important amendments, but these did not satisfy all dissenters and doubters. Immediate and profound conflict of opinion sprang up over the administration and policy of the new Government; active political parties and hot discussion arose, the one side proclaiming that it was too strong, the other asserting that it was too weak, to endure.

Before public opinion was well consolidated, the war of 1812 produced new complaints and new opposition, out of which grew the famous Hartford Convention. It has been charged and denied that

this was a movement of disunion and rebellion. The exact fact is not important in our day; it is enough that it was a sign of deep political unrest and of shallow public faith. Passing by lesser manifestations of the same character, we come to the eventful nullification proceeding in South Carolina in the year 1832. Here was a formal legislative repudiation of Federal authority with a reserved threat of forcible resistance. At this point disunion was in full flower, and the terms nullification, secession, treason, rebellion, revolution, coercion, constitute the current political vocabulary. Take up a political speech of that period, change the names and dates, and the reader can easily imagine himself among the angry controversies of the winter of 1860. CH. XVII.

Nullification was half-throttled by Jackson's proclamation, half-quieted by Clay's compromise. But from that time forward the phraseology and the spirit of disunion became constant factors in Congressional debate and legislation. In 1850, it broke out to an extent and with an intensity never before reached. This time it enveloped the whole country, and many of the wisest and best statesmen believed civil war at hand. The compromise measures of 1850 finally subdued the storm; but not till the serious beginning of a secession movement had been developed and put down, both by the general condemnation of the whole country, and the direct vote of a union majority in the localities where it took its rise.

Among these compromise acts of 1850 was the admission of California as a free State. The gold discoveries had suddenly filled it with population,

CH. XVII making the usual probation as a Territory altogether needless. A considerable part of the State lay south of the line of 36°, 30′, and the pro-slavery extremists had demanded that it should be divided into two States — one to be a free and the other to be a slave State — in order to preserve the political balance between the sections, in the United States Senate. This being refused, they not only violently opposed the compromise measures, but organized a movement for resistance in South Carolina, Georgia, and Mississippi, demanding redress, and threatening secession if it were not accorded. A popular contest on this issue followed in 1851 in these States, in which the ultra-secession party was signally overthrown. It submitted sullenly to its defeat; leaving, as always before, a considerable faction unsatisfied and implacable, only awaiting a new opportunity to start a new disturbance. This new opportunity arose in the slavery agitation, beginning with the repeal of the Missouri Compromise in 1854, and ending with the election of Lincoln. During this six years' controversy, disunion was kept in the background because the pro-slavery party had continual and sanguine hope of ultimate triumph. It did not despair of success until the actual election of Lincoln, on the 6th of November, 1860; consequently, even in the Southern States, as a rule, disunion was frowned upon till near the end of the Presidential campaign, and only paraded as an evil to be feared, not as a thing to be desired.

This aspect, however, was superficial. Under the surface, a small but determined disunion conspiracy was actively at work. It has left few histor-

ical traces; but in 1856 distinct evidence begins to crop out. There was a possibility, though not a probability, that Frémont might be elected President; and this contingency the conspirators proposed to utilize by beginning a rebellion. A letter from the Governor of Virginia to the Governors of Maryland and other States is sufficient proof of such an intent, even without the evidence of later history.

RICHMOND, VA., Sept. 15, 1856.

DEAR SIR: Events are approaching which address themselves to your responsibilities and to mine as chief Executives of slave-holding States. Contingencies may soon happen which would require preparation for the worst of evils to the people. Ought we not to admonish ourselves by joint council of the extraordinary duties which may devolve upon us from the dangers which so palpably threaten our common peace and safety? When, how, or to what extent may we act, separately or unitedly, to ward off dangers if we can, to meet them most effectually if we must?

I propose that, as early as convenient, the Governors of Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Louisiana, Texas, Arkansas, Mississippi, and Tennessee shall assemble at Raleigh, N. C., for the purpose generally of consultation upon the state of the country, upon the best means of preserving its peace, and especially of protecting the honor and interests of the slave-holding States. I have addressed the States only having Democratic Executives, for obvious reasons.

This should be done as early as possible before the Presidential election, and I would suggest Monday, the 13th of October next. Will you please give me an early answer, and oblige,

Yours most truly and respectfully,

HENRY A. WISE.

His Excellency Thomas W. Ligon,
Governor of Maryland.

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If any explanation were needed of the evident purpose of this letter, or of the proposed meeting, it may be found in the following from Senator Mason, of Virginia, to Jefferson Davis, of Mississippi, who was at the time Secretary of War under President Pierce:

SELMA, NEAR WINCHESTER, VA., Sept. 30, 1856.

MY DEAR SIR: I have a letter from Wise, of the 27th, full of spirit. He says the Governors of North Carolina, South Carolina, and Louisiana have already agreed to rendezvous at Raleigh, and others will—this in your most private ear. He says, further, that he had officially requested you to exchange with Virginia, on fair terms of difference, percussion for flint muskets. I don't know the usage or power of the department in such cases, but if it can be done, even by liberal construction, I hope you will accede. Was there not an appropriation at the last session for converting flint into percussion arms? If so, would it not furnish good reason for extending such facilities to the States? Virginia probably has more arms than the other Southern States, and would divide, in case of need. In a letter yesterday to a committee in South Carolina, I give it as my judgment, in the event of Frémont's election, the South should not pause, but proceed at once to "immediate, absolute, and eternal separation." So I am a candidate for the first halter.

Wise says his accounts from Philadelphia are cheering for old Buck in Pennsylvania. I hope they be not delusive. *Vale et Salute* [sic].

O. J. Victor, "American Conspiracies," p. 520.

J. M. MASON.

Colonel Davis.

In these letters we have an exact counterpart of the later and successful efforts of these identical conspirators, conjointly with others, to initiate rebellion. When the Senatorial campaign of 1858 between Lincoln and Douglas was at its height, there was printed in the public journals of the

Southern States the following extraordinary letter, which at once challenged the attention of the whole reading public of the country, and became known by the universal stigma of "The Scarlet Letter." In the light of after events it was both a revelation and a prophecy: CH. XVII.

MONTGOMERY, June 15, 1858.

DEAR SIR: Your kind favor of the 15th is received. I heartily agree with you that [no] general movement can be made that will clean out the Augean stable. If the Democracy were overthrown, it would result in giving place to a greater and hungrier swarm of flies.

The remedy of the South is not in such a process. It is in a diligent organization of her true men for prompt resistance to the next aggression. It must come in the nature of things. No national party can save us; no sectional party can ever do it. But if we could do as our fathers did — organize "committees of safety" all over the Cotton States (it is only in them that we can hope for any effective movement) — we shall fire the Southern heart, instruct the Southern mind, give courage to each other, and at the proper moment, by one organized concerted action, we can precipitate the Cotton States into a revolution.

The idea has been shadowed forth in the South by Mr. Ruffin; has been taken up and recommended in the "Advertiser" (published at Montgomery, Alabama), under the name of "League of United Southerners," who, keeping up their old party relations on all other questions, will hold the Southern issue paramount, and will influence parties, legislatures, and statesmen. I have no time to enlarge, but to suggest merely.

In haste, yours, etc.,

WM. L. YANCEY.

To James Slaughter, Esq.

Quoted in Appendix to "Globe" for 1859-60, p. 313.

The writer of this "Scarlet Letter" had long been known to the country as a prominent politician of Alabama, affiliated with the Democratic

CH. XVII. party, having once represented a district of that State in Congress, and of late years the most active, pronounced, and conspicuous disunionist in the South. In so far as this publication concerned himself, it was no surprise to the public; but the project of an organized conspiracy had never before been broached with such matter-of-fact confidence.[1]

An almost universal condemnation by the public press reassured the startled country that the author of this revolutionary epistle was one of the confirmed "fire-eaters" who were known and admitted

[1] As an evidence of the disunion combination which lay like smoldering embers under the surface of Southern politics, it is instructive to read an extract from a hitherto unpublished letter from Governor Henry A. Wise, of Virginia, to a gentleman in Philadelphia, for a copy of which we are indebted to General Duncan S. Walker. The other letter of Wise — previously quoted — shows us his part and interest in the proposed conspiracy against Frémont; but the erratic Governor had, after the lapse of nearly two years, become an anti-Lecompton-Douglasite, and was ready to give confidential warning of designs with which he was only too familiar. As this was written nearly three weeks before Yancey's "Scarlet Letter," its concurrent testimony is of special significance as proof of the chronic conspiracy:

"RICHMOND, VA.,
"May 28, 1858.

"TO WM. SERGEANT, ESQ.:

". . . The truth is that there is in the South an organized, active, and dangerous faction, embracing most of the Federal politicians, who are bent upon bringing about causes of a dissolution of the Union. They desire a united South, but not a united country. Their hope of embodying a sectional antagonism is to secure a sectional defeat. At heart, they do not wish the Democracy to be any longer national, united, or successful. In the name of Democracy they propose to make a nomination for 1860, at Charleston; but an ultra nomination of an extremist on the slavery issue alone, to unite the South on that one idea, and on that to have it defeated by a line of sectionalism which will inevitably draw swords between fanatics on one side and fire-eaters on the other. Bear it in mind, then, that they desire to control a nomination for no other purpose than to have it defeated by a line of sections. They desire defeat, for no other end than to make a pretext for the clamor of dissolution. . .

"Yours truly,
"HENRY A. WISE." MS.

to exist in the South, but whose numbers, it was alleged, were too insignificant to excite the most distant apprehension.

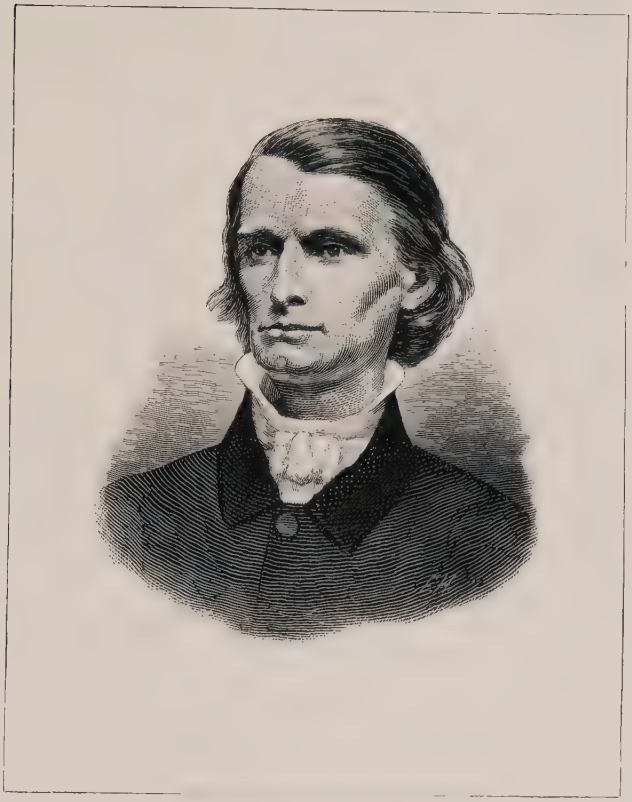
The letter was everywhere copied, its author denounced, and his proposal to "precipitate the Cotton States into a revolution" held up to public execration. Mr. Yancey immediately printed a statement deploring the betrayal of personal confidence in its publication, and to modifiy[1] the obnoxious declaration by a long and labored argument. But in the course of this explanation he furnished additional proof of the deep conspiracy disclosed by the "Scarlet Letter." He made mention of "A well-considered Southern policy, a policy which has been digested, and understood, and approved by the ablest men in Virginia, as you yourselves must be aware," to the effect that while the Cotton States should begin rebellion, "Virginia and the other border States should remain in the Union," where, by their position and their counsels, they would form a protecting barrier to the proposed separation. "In the event of the movement being successful," he continued, "in time Virginia and the other border States that desired it could join the Southern Confederacy."

Less than ordinary uncertainty hung over the final issue of the Presidential campaign of 1860. To popular apprehension the election of Lincoln became more and more probable. The active competition for votes by four Presidential tickets greatly increased his chances of success; and the

[1] "I am a secessionist and not a revolutionist, and would not 'precipitate,' but carefully prepare to meet an inevitable dissolution." — Yancey to Pryor, "Richmond South," copied in "National Intelligencer," September 4, 1858.

CH. XVII. verdict of the October elections appeared to all sagacious politicians to render his choice a practical certainty. Sanguine partisans, however, clung tenaciously to their favorites, and continued to hope against hope, and work against fate. This circumstance produced a deplorable result in the South. Under the shadow of impending defeat the Democrats of the Cotton States made the final months of the canvass quite as much a threat against Lincoln as a plea for Breckinridge. This preaching of secession seemed to shallow minds harmless election buncombe; but when the contingency finally arrived, and the choice of Lincoln became a real event, they found themselves already in a measure pledged to resistance. They had vowed they would never submit; and now, with many, the mere pride of consistency moved them to adhere to an ill-considered declaration. The sting of defeat intensified their resentment, and in this irritated frame of mind the secession demagogues among them lured them on skillfully into the rising tide of revolution.

In proportion to her numbers, the State of South Carolina furnished the largest contingent to the faction of active conspirators; and to her, by a common consent, were accorded the dangers and honors of leadership. Since conspiracies work in secret, only fragmentary proofs of their efforts ever come to light. Though probably only one of the many early agencies in organizing the rebellion, the following circular reveals in a startling light what labor and system were employed to "fire the Southern heart" after the November election:



GENERAL HENRY A. WISE.

CHARLESTON, Nov. 19, 1860. CH. XVII.
EXECUTIVE CHAMBER, "The 1860 Association."

In September last, several gentlemen of Charleston met to confer in reference to the position of the South in the event of the accession of Mr. Lincoln and the Republican party to power. This informal meeting was the origin of the organization known in this community as "The 1860 Association."

The objects of the Association are:

First. To conduct a correspondence with leading men in the South, and by an interchange of information and views prepare the slave States to meet the impending crisis.

Second. To prepare, print, and distribute in the slave States, tracts, pamphlets, etc., designed to awaken them to a conviction of their danger, and to urge the necessity of resisting Northern and Federal aggression.

Third. To inquire into the defenses of the State, and to collect and arrange information which may aid the Legislature to establish promptly an effective military organization.

To effect these objects a brief and simple Constitution was adopted, creating a President, a Secretary and Treasurer, and an Executive Committee specially charged with conducting the business of the Association. One hundred and sixty-six thousand pamphlets have been published, and demands for further supplies are received from every quarter. The Association is now passing several of them through a second and third edition.

The conventions in several of the Southern States will soon be elected. The North is preparing to soothe and conciliate the South by disclaimers and overtures. The success of this policy would be disastrous to the cause of Southern Union and Independence, and it is necessary to resist and defeat it. The Association is preparing pamphlets with this special object. Funds are necessary to enable it to act promptly. "The 1860 Association" is laboring for the South, and asks your aid.

I am, very respectfully, your obedient servant,
ROBERT N. GOURDIN,
Chairman of the Executive Committee.

O. J. Victor, "History of the Southern Rebellion," Vol. I., p. 203.

CH. XVII. The half-public endeavors of "The 1860 Association" to create public sentiment were vigorously seconded by the efforts of high official personages to set on foot concerted official action in aid of disunion. In this also, with becoming expressions of modesty, South Carolina took the initiative. On the 5th of October, Governor Gist wrote the following confidential letter, which he dispatched by a secret agent to his colleagues, the several Governors of the Cotton States, whom the bearer, General S. R. Gist, visited in turn during that month of October.

The responses to this inquiry given by the Executives of the other Cotton States were not all that so ardent a disunionist could have wished, but were yet sufficient to prompt him to a further advance.

EXECUTIVE DEPARTMENT,
UNIONVILLE, S. C., Oct. 5, 1860.

HIS EXCELLENCY GOVERNOR MOORE.

DEAR SIR: The great probability, nay almost certainty, of Abraham Lincoln's election to the Presidency renders it important that there should be a full and free interchange of opinion between the Executives of the Southern, and more especially the Cotton, States, and while I unreservedly give you my views and the probable action of my State, I shall be much pleased to hear from you; that there may be concert of action, which is so essential to success. Although I will consider your communication confidential, and wish you so to consider mine so far as publishing in the newspapers is concerned, yet the information, of course, will be of no service to me unless I can submit it to reliable and leading men in consultation for the safety of our State and the South; and will only use it in this way. It is the desire of South Carolina that some other State should take the lead, or at least move simultaneously with her. She will unquestionably call a convention as soon as it is ascertained that

a majority of the electors will support Lincoln. If a single State secedes, she will follow her. If no other State takes the lead, South Carolina will secede (in my opinion) alone, if she has any assurance that she will be soon followed by another or other States; otherwise it is doubtful. If you decide to call a convention upon the election of a majority of electors favorable to Lincoln, I desire to know the day you propose for the meeting, that we may call our convention to meet the same day, if possible. If your State will propose any other remedy, please inform me what it will probably be, and any other information you will be pleased to give me.

With great respect and consideration,

I am yours, etc.,

WM. H. GIST.

Governor Thos. O. Moore.

MS. Confederate Archives, U. S. War Department.

EXECUTIVE DEPARTMENT,
RALEIGH, N. C., Oct. 18, 1860.

DEAR SIR: I have the honor to acknowledge the receipt of your favor of the 5th, which reached me on the 12th inst.

In compliance with your request, I will give as accurately as it is in my power to do the views and feelings of the people of North Carolina upon the important subject of your communication.

Political differences and party strife have run so high in this State for some years past, and particularly during the past nine months, that anything like unanimity upon any question of a public nature could scarcely be expected; and such is the case with the one under consideration. Our people are very far from being agreed as to what action the State should take in the event of Lincoln's election to the Presidency. Some favor submission, some resistance, and others still would await the course of events that might follow. Many argue that he would be powerless for evil with a minority party in the Senate, and perhaps in the House of Representatives also; while others say, and doubtless with entire sincerity, that the placing of the power of the Federal Government in his hands would prove a fatal blow to the institution of negro slavery in this country.

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None of our public speakers, I believe, have taken the ground before the people that the election of Lincoln would, of itself, be a cause of secession. Many have said it would not, while others have spoken equivocally.

Upon the whole I am decidedly of opinion that a majority of our people would not consider the occurrence of the event referred to as sufficient ground for dissolving the union of the States. For which reason I do not suppose that our Legislature, which will meet on the 19th prox., will take any steps in that direction — such, for instance, as the calling of a convention.

Thus, sir, I have given you what I conceive to be the sentiment of our people upon the subject of your letter, and I give it as an existing fact, without comment as to whether the majority be in error or not.

My own opinions, as an individual, are of little moment. It will be sufficient to say, that as a States-Rights man, believing in the sovereignty and reserved powers of the States, I will conform my actions to the action of North Carolina, whatever that may be. To this general observation I will make but a single qualification — it is this: I could not in any event assent to, or give my aid to, a political enforcement of the monstrous doctrine of coercion. I do not for a moment think that North Carolina would become a party to the enforcement of this doctrine, and will not therefore do her the injustice of placing her in that position, even though hypothetically.

With much respect, I have the honor to be,

Your obt. serv't,

JOHN W. ELLIS.

MS. Confederate Archives.

His Excellency William H. Gist,
Governor of South Carolina.

ALEXANDRIA, LA., 26th October, 1860.

HIS EXCELLENCY GOVERNOR GIST.

DEAR SIR: Your favor of the 5th inst. was received a few days ago at this place. I regret my inability to consult with as many of our leading citizens as I wished, but I will not delay in replying any longer. You will (of course) consider my letter as private, except for use in consultation with friends.

I shall not call a convention in this State if Lincoln is elected, because I have no power or authority to do so. I infer from your letter that an authority has been vested in you by your Legislature to call a convention in a specified contingency. Our Legislature has taken no action of that or any similar kind. That body will meet in regular annual session about the middle of January; but it is not improbable that I may consider it necessary to convene it at an earlier day, if the complexion of the electoral colleges shall indicate the election of Lincoln.

Even if that deplorable event shall be the result of the coming election, I shall not advise the secession of my State, and I will add that I do not think the people of Louisiana will ultimately decide in favor of that course. I shall recommend that Louisiana meet her sister slaveholding States in council to consult as to the proper course to be pursued, and to endeavor to effect a complete harmony of action. I fear that this harmony of action, so desirable in so grave an emergency, cannot be effected. Some of the Cotton States will pursue a more radical policy than will be palatable to the border States, but this only increases the necessity of convening the consultative body of which I have spoken. I believe in the right of secession for just cause, of which the sovereignty must itself be the judge. If therefore the general Government shall attempt to coerce a State, and forcibly attempt the exercise of this right, I should certainly sustain the State in such a contest.

There has never been any indication made by Louisiana, or by any public body within her limits, of her probable course in the event of an election of a Black Republican President, and she is totally unprepared for any warlike measures. Her arsenals are empty. While some of her sister States have been preparing for an emergency, which I fear is now imminent, she has been negligent in this important matter.

If coming events should render necessary the convocation of the Southern Convention, I shall endeavor to compose the representation of Louisiana of her ablest and most prudent men, if the power shall be vested in me to appoint them. However, I presume the Legis-

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lature will adopt some other course in the appointments. The recommendations of such a body assembled in such a crisis must necessarily carry great weight, and if subsequently ratified and adopted by each State by proper authority, will present the South in united and harmonious action.

MS. Confederate Archives.

I have the honor to be your Excellency's ob't serv't,

THOS. O. MOORE.

MACON, Oct. 26, 1860.

HIS EXCELLENCY GOV. GIST.

DEAR SIR: Your letter of Oct. 5 was handed me by General Gist. Having but few moments to reply, I write this more to acknowledge its receipt than to reply to its contents. Our friends in this State are willing to do anything they may have the power to do to prevent the State from passing under the Black Republican yoke. Our people know this, and seem to approve such sentiments, yet I do not believe Mississippi can move alone.

I will call our Legislature in extra session as soon as it is known that the Black Republicans have carried the election. I expect Mississippi will ask a council of the Southern States, and if that council advise secession, Mississippi will go with them. If any State moves, I think Mississippi will go with her. I will write at length from Jackson.

Yours respectfully,

MS. Ibid.

JOHN J. PETTUS.

EXECUTIVE DEPARTMENT,
MILLEDGEVILLE, GA., Oct. 31, 1860.

HIS EXCELLENCY W. H. GIST.

DEAR SIR: I have the honor to acknowledge the receipt of your favor by the hand of General Gist, with whom I have had a free interchange of opinions. In the event of the election of Mr. Lincoln to the Presidency I have no doubt that Georgia will determine her action by a convention of the people, which will probably be held before the 4th day of March next. Her Legislature, which convenes here next Wednesday, will have to determine on the time when the convention shall be held. My opinion is that the people of Georgia will, in case of the election

of Lincoln, decide to meet all the Southern States in convention and take common action for the protection of the rights of all. Events not yet foreseen may change their course and might lead to action on the part of Georgia without waiting for all the Southern States, if it should be found necessary to her safety. I have handed General Gist a copy of my message on our Federal relations, which will be sent to our Legislature on the first day of the session. I send only the forms from the press as it is just being put in type. I may make some immaterial alterations before it is completed. If your State remains in the Union, I should be pleased that she would adopt such retaliatory measures as I recommend in the message, or others which you may determine to be more appropriate. I think Georgia will pass retaliatory laws similar to those I recommend, should Lincoln be defeated. Should the question be submitted to the people of Georgia, whether they would go out of the Union on Lincoln's election without regard to the action of other States, my opinion is they would determine to wait for an overt act. The action of other States may greatly influence the action of the people of this State. This letter is not intended for publication in the newspapers, and has been very hastily prepared.

I have the honor to be your Excellency's

Ob't serv't,

JOSEPH E. BROWN.

MS. Confederate Archives.

EXECUTIVE DEPARTMENT,
MONTGOMERY, ALA., October 25, 1860.

HIS EXCELLENCY W. H. GIST.

DEAR SIR: Your letter of the 5th inst. was handed me a few days since by General Gist. I fully concur with you in the opinion that Lincoln will be elected President, and that a full and free interchange of opinion between the Executives of the Southern States, and especially of the Cotton States, should be had as to what ought to be done and what will be done by them to protect the interest and honor of the slave-holding States in the event he should be elected.

My opinion is, that the election of Lincoln alone is not

CH. XVII. sufficient cause for a dissolution of the Union; but that fact, when taken in connection with the avowed objects and intentions of the party whose candidate he is, and the overt acts already committed by that party in nullifying the fugitive-slave law, and the enactment of personal liberty bills in many of the non-slave-holding States, with other acts of like kind, is sufficient cause for dissolving every tie which binds the Southern States to the Union.

It is my opinion that Alabama will not secede alone, but if two or more States will coöperate with her, she will secede with them; or if South Carolina or any other Southern State should go out alone and the Federal Government should attempt to use force against her, Alabama will immediately rally to her rescue.

The opinions above expressed are predicated upon observation and consultation with a number of our most distinguished statesmen. The opinion thus expressed is not intended as a positive assurance, but is my best impression as to what will be the course of Alabama. Should Lincoln be elected, I shall certainly call a convention under the provisions of the resolutions of the last General Assembly of the State. The convention cannot be convened earlier than the first Monday in February next, and I have fixed upon that day (in my own mind). The vote of the electors will be cast for President on the 5th day of December, after which it will require a few days to ascertain the result. Thirty days' notice will have to be given after the day upon which the delegates to the convention will be elected, and the convention is required to convene in two weeks after the election. This is not a matter of discretion with me, but is fixed by law. I regret that earlier action cannot be had, as it may be a matter of much importance that all the States that may determine to withdraw from the Union should act before the expiration of Mr. Buchanan's term of service.

The facts and opinions herein communicated you are at liberty to make known to those with whom you may choose to confer, but they are not to be published in the newspapers.

I have had a full and free conversation with General Gist, the substance of which is contained in this letter.

He will, however, give it to you more in detail. It is my opinion that all the States that may determine to take action upon the election of Lincoln should call a convention as soon as practicable after the result is known. CH. XVII.

With great respect, your ob't serv't,

B. MOORE. MS. Confederate Archives.

EXECUTIVE DEPARTMENT, Nov. 9, 1860.

HIS EXCELLENCY GOVERNOR GIST.

DEAR SIR: Your communication of the 5th ultimo reached me per last mail under cover from General States Rights Gist, with an explanatory note from that gentleman in relation to the subject-matters thereof.

The mode employed by your Excellency to collect authoritatively the views of several of the Executives of the Southern States as to their plan of action in the event of the election of Lincoln, commends itself warmly to my judgment. Concert of action can alone be arrived at by a full and free interchange of opinion between the Executives of the Cotton States, by whom it is confidently expected that the ball will be put in motion.

We are in the midst of grave events, and I have industriously sought to learn the public mind in this State in the event of the election of Lincoln, and am proud to say Florida is ready to wheel into line with the gallant Palmetto State, or any other Cotton State or States, in any course which she or they may in their judgment think proper to adopt, looking to the vindication and maintenance of the rights, interest, honor, and safety of the South. Florida may be unwilling to subject herself to the charge of temerity or immodesty by leading off, but will most assuredly coöperate with or follow the lead of any single Cotton State which may secede. Whatever doubts I may have entertained upon this subject have been entirely dissipated by the recent elections in this State.

Florida will most unquestionably call a convention as soon as it is ascertained that a majority of the electors favor the election of Lincoln, to meet most likely upon a day to be suggested by some other State.

I leave to-day for the capital, and will write you soon after my arrival, but would be pleased in the mean time to hear from you at your earliest convenience.

CH. XVII.

If there is sufficient manliness at the South to strike for our rights, honor, and safety, in God's name let it be done before the inauguration of Lincoln.

With high regard, I am yours, etc.,

M. S. PERRY.

Direct to Tallahassee.

MS. Confederate Archives.

P. S. I have written General Gist at Union C. H.

Two agencies have thus far been described as engaged in the work of fomenting the rebellion: the first, secret societies of individuals, like "The 1860 Association," designed to excite the masses and create public sentiment; the second, a secret league of Southern governors and other State functionaries, whose mission it became to employ the governmental machinery of States in furtherance of the plot. These, though formidable and dangerous, would probably have failed, either singly or combined, had they not been assisted by a third of still greater efficacy and certainty. This was nothing less than a conspiracy in the very bosom of the National Administration at Washington, embracing many United States Senators, Representatives in Congress, three members of the President's Cabinet, and numerous subordinate officials in the several Executive departments. The special work which this powerful central cabal undertook by common consent, and successfully accomplished, was to divert Federal arms and forts to the use of the rebellion, and to protect and shield the revolt from any adverse influence, or preventive or destructive action of the general Government.

CHAPTER XVIII

THE CABINET CABAL

VERY soon after the effort to unite the Cotton-State governors in the revolutionary plot, we find the local conspiracy at Charleston in communication with the central secession cabal at Washington. James Buchanan, of Pennsylvania, was still President of the United States, and his Cabinet consisted of the following members: Lewis Cass, of Michigan, Secretary of State; Howell Cobb, of Georgia, Secretary of the Treasury; John B. Floyd, of Virginia, Secretary of War; Isaac Toucey, of Connecticut, Secretary of the Navy; Jacob Thompson, of Mississippi, Secretary of the Interior; Joseph Holt, of Kentucky, Postmaster-General; and Jeremiah S. Black, of Pennsylvania, Attorney-General. It was in and about this Cabinet that the central cabal formed itself. Even if we could know in detail the successive steps that led to the establishment of this intercourse, which so quickly became "both semi-official and confidential," it could add nothing to the force of the principal fact that the conspiracy was in its earliest stages efficient in perverting the resources and instrumentalities of the Government of the United States to its destruction. That a United States Senator, a Secretary of War, an

CH. XVIII. Assistant Secretary of State, and no doubt sundry minor functionaries, were already then, from six to eight weeks before any pretense of secession, with "malice aforethought" organizing armed resistance to the Constitution and laws they had sworn to support, stands forth in the following correspondence too plainly to be misunderstood. As a fitting preface to this correspondence, a few short paragraphs may be quoted from the private diary of the Secretary of War, from which longer and more important extracts appear in a subsequent chapter. Those at present quoted are designed more especially to show the names of the persons composing the primary group of this central cabal, and the time and place of their early consultations and activity.

EXTRACTS FROM FLOYD'S DIARY.[1]

November 8, 1860. . . I had a long conversation to-day with General Lane, the candidate for Vice-President on the ticket with Mr. Breckinridge. He was grave and extremely earnest; said that resistance to the antislavery feeling of the North was hopeless, and that nothing was left to the South but "resistance or dishonor"; that if the South failed to act with promptness and decision in vindication of her rights, she would have to make up her mind to give up first her honor and then her slaves. He thought disunion inevitable, and said when the hour came that his services could be useful, he would offer them unhesitatingly to the South. I called to see the President this evening, but found him at the State Department engaged upon his message, and did not see him. Miss Lane returned last evening from Philadelphia, where she had been for some time on a visit. Mr.

[1] Printed on pages 791 to 794 in "The Life and Times of Robert E. Lee," etc. By a distinguished Southern journalist. (E. A. Pollard, author of "The Lost Cause.")

W. H. Trescott, Assistant Secretary of State, called to see me this evening, and conversed at length upon the condition of things in South Carolina, of which State he is a native. He expressed no sort of doubt whatever of his State separating from the Union. He brought me a letter from Mr. Drayton, the agent of the State, proposing to buy ten thousand muskets for the use of the State. . .

November 10. . . Beach, Thompson, and Cobb came over with me from Cabinet and staid, taking informally a family dinner. The party was free and communicative; Toucey would not stay for dinner. Mr. Pickens, late Minister to Russia, came in after dinner with Mr. Trescott, Assistant Secretary of State, and sat an hour, talking about the distracted state of public feeling at the South. He seemed to think the time had come for decisive measures to be taken by the South.

November 11. I spent an hour at the President's, where I met Thompson, Robert McGraw, and some others; we sat around the tea-table and discussed the disunion movements of the South. This seems to be the absorbing topic everywhere.

November 12. Dispatched the ordinary business of the department; dined at 5 o'clock; Mr. Pickens, late Minister to Russia, Mr. Trescott, Mr. Secretary Thompson, Mr. McGraw, Mr. Browne, editor of the "Constitution," were of the party. The chief topic of discussion was, as usual, the excitement in the South. The belief seemed to be that disunion was inevitable; Pickens, usually very cool and conservative, was excited and warm. My own conservatism seems in these discussions to be unusual and almost misplaced.

W. H. TRESCOTT TO R. BARNWELL RHETT.

WASHINGTON, Nov. 1, 1860.

DEAR RHETT: I received your letter this morning. As to my views or opinions of the Administration, I can, of course, say nothing. As to Mr. Cobb's views, he is willing that I should communicate them to you, in order that they may aid you in forming your own judgment; but,

CH. XVIII. you will understand that this is confidential — that is, neither Mr. Cobb nor myself must be quoted as the source of your information. I will not dwell on this, as you will, on a moment's reflection, see the embarrassment which might be produced by any *authorized* statement of his opinions. I will only add, by way of preface, that after the very fullest and freest conversations with him, I feel sure of his earnestness, singleness of purpose, and resolution in the whole matter.

Mr. Cobb believes that the time is come for resistance; that upon the election of Lincoln, Georgia ought to secede from the Union, and that she will do so; that Georgia and every other State should, as far as secession, act for herself, resuming her delegated powers, and thus put herself in position to consult with other sovereign States who take the same ground. After the secession is effected, then will be the time to consult. But he is of opinion, most strongly, that whatever action is resolved on should be consummated on the 4th of March, not before.

That while the action determined on should be decisive and irrevocable, its initial point should be the 4th of March. He is opposed to any Southern convention, merely for the purpose of consultation. If a Southern convention is held, it must be of delegates empowered to *act*, whose action is at once binding on the States they represent.

But he desires me to impress upon you his conviction, that any attempt to precipitate the actual issue upon this Administration will be most mischievous — calculated to produce differences of opinion and destroy unanimity. He thinks it of great importance that the cotton crop should go forward at once, and that the money should be in the hands of the people, that the cry of popular distress shall not be heard at the outset of this move.

My own opinion is that it would be well to have a discreet man, one who knows the value of silence, who can listen wisely, present in Milledgeville, at the meeting of the State Legislature, as there will be there an outside gathering of the very ablest men of that State.

And the next point, that you should, at the earliest possible day of the session of our own Legislature, elect a man as governor whose name and character will conciliate

as well as give confidence to all the men of the State,— if we do act, I really think this half the battle,— a man upon whose temper the State can rely.

I say nothing about a convention, as I understand, on all hands, that that is a fixed fact, and I have confined myself to answering your question. I will be much obliged to you if you will write me soon and fully from Columbia.

It is impossible to write to you, with the constant interruption of the office, and as you want Cobb's opinions, not mine, I send this to you.

Yours, W. H. T.

Benson J. Lossing, "The Civil War in America." Vol I., p. 44. (Note.),

THOS. F. DRAYTON TO GOVERNOR GIST.

CHARLESTON, 3d Nov., 1860.

On the 22d of last month I was in Washington, and called upon the Secretary at War, in company with Senator Wigfall, of Texas, to make inquiries as to the efficiency and price of certain muskets belonging to the United States, which had been altered by the Ordnance Department from flint to percussion. They will shoot for 200 yards as well as any smooth-bored gun in the service, and if *rifled* will be effective at 500 yards. But if the conical ball will be made lighter by enlarging the hollow at the base of the cone, the effective range may be increased to seven hundred yards. Should your Excellency give a favorable consideration to the above, I can have the whole of what I have stated authenticated by the board of ordnance officers, who inspected and reported to the Secretary at War upon these muskets. If ten thousand or more of these muskets are purchased, the price will be two ($2) dollars each; for a less quantity the charge will be $2.50 each. If a portion or all of them are to be rifled, the Secretary says he will have it done for the additional cost of one ($1) dollar per barrel. As this interview with Mr. Secretary Floyd was both semi-official and confidential, your Excellency will readily see the necessity, should this matter be pursued further, of appointing an agent to negotiate with him, rather than conduct the negotiation directly between the State and the Department. . . I

CH. XVIII. unhesitatingly advise purchasing several thousand of them. . . There are many other important facts in connection with the above that I could disclose, but will reserve them for some other occasion, that I may give them verbally as soon as I can find a day to wait upon your Excellency in Columbia.

The State of Texas has engaged twenty thousand (20,000) of these muskets, and the State of Kentucky purchased several thousand last summer.

MS. Confederate Archives.

THOS. F. DRAYTON TO GOVERNOR GIST.

CHARLESTON, 6th Nov., 1860.

I have only within a few hours received yours of the 5th inst., authorizing me to purchase from the War Department at Washington ten thousand rifles of pattern and price indicated in my letter to your Excellency of the 3d inst.

I accept the appointment and will discharge the duty assigned to the best of my ability and with the least possible delay. For I feel that the past and present agitation are ruinous to our peace and prosperity and that our only remedy is to break up with dispatch the present Confederacy and construct a new and better one. I will communicate with Mr. Secretary Floyd to-night and have the rifles put in preparation so as to have them for use at an early day. . .

I would wish that my agency in this transaction be kept private *until I reach Washington*, or indeed till I write to say the arms are on their way to Columbia. . .

Ibid.

THOS. F. DRAYTON TO GOVERNOR GIST.

CHARLESTON, 8th Nov., 1860.

I have just received your letter of the 7th inst., and I think I can render you all the information you desire, without resorting to any agent. If my ability can only be made to keep pace with my zeal, I hope yet to render some service to the dear old State of South Carolina.

Ibid.

THE WIGWAM AT CHICAGO IN WHICH LINCOLN WAS NOMINATED.

THOS. F. DRAYTON TO GOVERNOR GIST. CH. XVIII.

CHARLESTON, 16th Nov., 1860.

I have been most reluctantly detained here by an accidental fall, and also by business of an urgent kind associated with the railroad. My absence from Washington, however, has not delayed the execution of your order for the rifles; the Secretary of War has had the preparation of them in hand for some time.

When I write to you from Washington, had I not better address you through your private secretary. . . Please address me at Washington to the care of Wm. H. Trescott, Esq. . . I will give strict attention to your letter of the 7th inst., and hope to furnish you with much of the information you desire, for I am quite sensible of the importance of knowing the views and policy of the President at this juncture.

MS. Confederate Archives.

THOS. F. DRAYTON TO GOVERNOR GIST.

WASHINGTON, 19th Nov., 1860.

. . . I called this morning upon the Secretary of War to make arrangements for the immediate transmission of the rifles to Columbia, but much to my astonishment he informed me that since he had looked over the report of "Small Fire-arms" (now inclosed) that he found he had labored under an error in stating to me that the ten thousand rifles I had engaged were ready for delivery when called for by me. He said he could have them rifled, but it would take three or four months to execute the contract, but suggested that we should purchase the 10,000 smooth-bored muskets instead, as a more efficient arm, particularly if large-sized buckshot should be used, which, put up in wire case capable of containing 12 of them, would go spitefully through an inch plank at 200 yards. I was much astonished at the result of my interview with Governor Floyd to-day, for he had not only informed me that the rifles would be ready for me on my arrival, but told Mr. Trescott so likewise, and that if I had been in Washington last Saturday I could have got them. . . If you will be satisfied with the smooth-bored muskets like the

CH. XVIII. specimen forwarded to you, I will purchase them. Better do this, although not the best pattern, than be without arms at a crisis like the present. Colonel Benjamin Huger can give you much information about these muskets. This is derived not only from Mr. Floyd, but also from General J. E. Johnston, Quartermaster-General, who was President of the Ordnance Board who had these muskets changed from flint to percussion, and also from smooth-bore to rifle, and he says that for our purposes the smooth-bored musket is preferable to the altered rifle. The why I cannot explain to-day. . . I also send you a letter from Mr. Trescott, in reply to certain inquiries from me. I am unable to make any comments upon them nor to add other facts which I will forward you more leisurely to-morrow. . .

MS. Confederate Archives.

W. H. TRESCOTT TO THOS. F. DRAYTON.

(Private, Confidential.) WASHINGTON, Nov. 19, 1860.

MY DEAR DRAYTON: It is difficult to reply specifically to your inquiries, partly because I do not believe that the exact course of the Administration has been yet determined on, and partly because my knowledge, or rather my inference, of its intentions is derived from intercourse with its members which I am bound to consider confidential. I do not regard it of serious importance to you to know the individual opinions of either the President or the Cabinet. No action of any sort will be taken until the message has been sent indicating the opinions of the Executive, and that message, whatever it be, will find our Legislature in session, and the convention on the point of meeting. I think it likely that the President will state forcibly what he considers the grievances of the South, that he will add that he does not think, if the right of secession existed, it would be a wise policy for the State to adopt, and that he does *not* think the right to secede does exist, and then refer the whole matter to Congress; what he will do when the State does secede, he has not said, and I do not know, nor any man, I believe. He will do, as we will, what he believes to be his duty, and that duty, I suppose, will be discharged in full view of the

consequences following any line of action that may be determined on. But I think that, as long as Cobb and Thompson retain seats in the Cabinet, you may feel confident that no action has been taken which seriously affects the position of any Southern State. CH. XVIII.

I think that I may safely rely upon my knowledge of what will be done, and you may rely upon my resignation as soon as that knowledge satisfies me of any move in a direction positively injurious to us, or altering the present condition of things to our disadvantage. When you pass through on Wednesday, however, I will speak to you more fully.

Yours, W. H. T.

MS. Confederate Archives.

THOS. F. DRAYTON TO GOVERNOR GIST.

WASHINGTON, 19th Nov., 1860.

Mr. Buchanan, while he can discover no authority under the Constitution to justify secession by a State, on the other hand he can find no power to coerce one to return after the right of secession has been exercised. He will not allow entry or clearance of a vessel except through the Custom-house, to be established as soon as secession is declared, upon the deck of a man-of-war off the harbor of Charleston. He will enforce the collection of duties, not by navy, but by a revenue cutter, as our collector now would do if his authority was resisted. I will write to you more fully when I return from New York, where I go to-morrow at daylight, at the suggestion of the Secretary of War, who deems it important that I should go there to make arrangements for shipping the arms (should you still want them) from that point instead of this city. . . Do send a copy of the list of arms at the arsenals to H. R. Lawton, Milledgeville, Ga. I am getting some smooth-bored muskets for Georgia, like the specimen I sent you. .

Ibid.

THOS. F. DRAYTON TO GOVERNOR GIST.

WASHINGTON, 23d Nov., 1860.

I arrived here at 6 A. M. from New York, where I had gone at the suggestion of Mr. Floyd to engage Mr. G. B.

CH. XVIII.

Lamar, President of the Bank of the Republic, to make an offer to the Secretary for such a number of muskets as we might require. The Secretary at War was reluctant to dispose of them to me, preferring the intermediate agency. Mr. Lamar has consented to act accordingly, and to-day the Secretary has written to the commanding officer [at] Watervliet Arsenal to deliver five or ten thousand muskets (altered from flint to percussion) to Mr. Lamar's order. Mr. Lamar will pay the United States paymaster for them, and rely upon the State to repay him. I have been most fortunate in having been enabled to meet the payments for the arms through Mr. L., for I feel satisfied that without his intervention we could not have effected the purchase at this time. . . I expect to return at daylight to-morrow to New York, for I am very anxious about getting possession of the arms at Watervliet, and forward them to Charleston. The Cabinet may break up at any moment, on differences of opinion with the President as to the rights of secession, and a new Secretary of War might stop the muskets going South, if not already on their way when he comes into office.

I will write to you again by the next mail. The impression here and elsewhere among many Southern men is, that our Senators have been precipitate in resigning; they think that their resignations should have been tendered from their seats after they had announced to the Senate that the State had seceded. Occupying their seats up to this period would have kept them in communication with Senators from the South and assisted very powerfully in shaping to our advantage coming events.

MS. Confederate Archives.

If any further quotation be necessary to show the audacity with which at least three Secretaries and one Assistant Secretary of Mr. Buchanan's Cabinet engaged in flagrant conspiracy in the early stages of rebellion, it may be found in an interview of Senator Clingman with the Secretary of the Interior, which the former has recorded in his "Speeches and Writings" as an interesting remi-

niscence. It may be doubted whether Secretary Thompson correctly reported the President as wishing him success in his North Carolina mission, but the Secretary is, of course, a competent witness to his own declarations and acts. CH XVIII.

About the middle of December [1860] I had occasion to see the Secretary of the Interior on some official business. On my entering the room, Mr. Thompson said to me, "Clingman, I am glad you have called, for I intended presently to go up to the Senate to see you. I have been appointed a commissioner by the State of Mississippi to go down to North Carolina to get your State to secede, and I wished to talk with you about your Legislature before I start down in the morning to Raleigh, and to learn what you think of my chance of success." I said to him, "I did not know that you had resigned." He answered, "Oh, no, I have not resigned." "Then," I replied, "I suppose you resign in the morning." "No," he answered, "I do not intend to resign, for Mr. Buchanan wished us all to hold on, and go out with him on the 4th of March." "But," said I, "does Mr. Buchanan know for what purpose you are going to North Carolina?" "Certainly," he said, "he knows my object." Being surprised by this statement, I told Mr. Thompson that Mr. Buchanan was probably so much perplexed by his situation that he had not fully considered the matter, and that as he was already involved in difficulty, we ought not to add to his burdens; and then suggested to Mr. Thompson that he had better see Mr. Buchanan again, and by way of inducing him to think the matter over, mention what I had been saying to him. Mr. Thompson said, "Well, I can do so, but I think he fully understands it." In the evening I met Mr. Thompson at a small social party, and as soon as I approached him, he said, "I knew I could not be mistaken. I told Mr. Buchanan all you said, and he told me that he wished me to go, and hoped I might succeed." I could not help exclaiming, "Was there ever before any potentate who sent out his own Cabinet ministers to excite an insurrection against his Government!" The fact that Mr. Thompson did go on the errand, and

CH. XVIII. had a public reception before the Legislature, and returned to his position in the Cabinet is known, but this incident serves to recall it.

T. L. Clingman, "Speeches and Writings," pp. 526, 527.

To this sketch of the Cabinet cabal it is necessary to add the testimony of his participation, by one who, from first to last, was a principal and controlling actor. Jefferson Davis records that:

> In November, 1860, after the result of the Presidential election was known, the Governor of Mississippi, having issued his proclamation convoking a special session of the Legislature to consider the propriety of calling a convention, invited the Senators and Representatives of the State in Congress to meet him for consultation as to the character of the message he should send to the Legislature when assembled. . . While engaged in the consultation with the Governor just referred to, a telegraphic message was handed to me from two members of Mr. Buchanan's Cabinet, urging me to proceed "immediately" to Washington. This dispatch was laid before the Governor and the members of Congress from the State who were in conference with him, and it was decided that I should comply with the summons. . . On arrival at Washington, I found, as had been anticipated, that my presence there was desired on account of the influence which it was supposed I might exercise with the President (Mr. Buchanan) in relation to his forthcoming message to Congress. On paying my respects to the President, he told me that he had finished the rough draft of his message, but that it was still open to revision and amendment, and that he would like to read it to me. He did so and very kindly accepted all the modifications which I suggested. The message was, however, afterwards somewhat changed.

Jefferson Davis, "Rise and Fall of the Confederate Government," Vol. I., pp. 57, 58, 59.

In the documents we have presented, though they manifestly form but the merest fragment of the secret correspondence which passed between the chief conspirators, and of the written evidence recorded by them in various forms, then and afterwards, we have a substantial unmasking of the

combined occult influences which presided over the initiatory steps of the great American Rebellion — its central council — the master wheel of its machinery — and the connecting relation which caused all its subordinate parts to move in harmonious accord.

With the same mind to dictate a secession message to a Legislature and a non-coercion message to Congress — to assemble insurrectionary troops to seize Federal forts and withhold Government troops from their protection — to incite governors to rebellion and overawe a weak President to a virtual abdication of his rightful authority, history need not wonder at the surprising unity and early success of the conspiracy against the Union.

CHAPTER XIX

FROM THE BALLOT TO THE BULLET

CHAP. XIX. THE secret circular of Governor Gist, of South Carolina, heretofore quoted, inaugurated the great American Rebellion a full month before a single ballot had been cast for Abraham Lincoln. This was but repeating in a bolder form the action taken by Governor Wise, of Virginia, during the Frémont campaign four years before. But, instead, as in that case, of confining himself to a proposed consultation among slave-State executives, Governor Gist proceeded almost immediately to a public and official revolutionary act.

On the 12th of October, 1860, he issued his proclamation convening the Legislature of South Carolina in extra session, "to appoint electors of President and Vice-President . . . and also that they may, if advisable, take action for the safety and protection of the State." There was no external peril menacing either the commonwealth or its humblest citizen; but the significance of the phrase was soon apparent.

A caucus of prominent South Carolina leaders is said to have been held on October 25, at the residence of Senator Hammond. Their deliberations remained secret, but the determination arrived at

appears clearly enough in the official action of Governor Gist, who was present, and who doubtless carried out the plans of the assemblage. When the Legislature met on November 5 (the day before the Presidential election) the Governor sent them his opening message, advocating both secession and insurrection, in direct and undisguised language. He recommended that in the event of Lincoln's election, a convention should be immediately called; that the State should secede from the Federal Union; and "if in the exercise of arbitrary power and forgetful of the lessons of history, the Government of the United States should attempt coercion, it will be our solemn duty to meet force by force." To this end he recommended a reorganization of the militia and the raising and drilling an army of ten thousand volunteers. He placed the prospects of such a revolution in a most hopeful and encouraging light. "The indications from many of the Southern States," said he, "justify the conclusion that the secession of South Carolina will be immediately followed, if not adopted simultaneously, by them, and ultimately by the entire South. The long-desired coöperation of the other States having similar institutions, for which the State has been waiting, seems to be near at hand; and, if we are true to ourselves, will soon be realized."

South Carolina "House Journal," Called Session, 1860, pp. 10, 11.

Governor Gist's justification of this movement as attempted was (in his own language) "the strong probability of the election to the Presidency of a sectional candidate by a party committed to the support of measures, which if carried out will inevitably destroy our equality in the Union, and

CHAP. XIX. ultimately reduce the Southern States to mere provinces of a consolidated despotism to be governed by a fixed majority in Congress hostile to our institutions."

This campaign declamation, used throughout the whole South with great skill and success, to "fire the Southern heart," was wholly defective as a serious argument.

As to the alleged destruction of equality, the North proposed to deny to the slave States no single right claimed by the free States. The talk about "provinces of a consolidated despotism to be governed by a fixed majority" was, in itself an absurd contradiction in terms, which repudiated the fundamental idea of republican government. The acknowledgment that any danger from anti-slavery "measures" was only in the future, negatived its validity as a present grievance. Hostility to "our institutions" was expressly disavowed by full constitutional recognition of slavery under State authority. The charge of "sectionalism" came with a bad grace from a State whose newspapers boasted that none but the Breckinridge ticket was tolerated within her borders, and whose elsewhere obsolete "institution" of choosing Presidential electors by the Legislature instead of by the people, combined with such a dwarfed and crippled public sentiment, made it practically impossible for a single vote to be cast for either Lincoln or Douglas or Bell — a condition mathematically four times as "sectional" as that of any State of the North.

Finally, the avowed determination to secede because a Presidential election was about to be legally

gained by one of the three opposing parties, after she had freely and fully joined in the contest, was an indulgence of caprice utterly incompatible with any form of government whatever.

There is no need here to enter upon a discussion of the many causes which had given to the public opinion of South Carolina so radical and determined a tone in favor of disunion. Maintaining persistence, and gradually gathering strength almost continuously since the nullification furor of 1832, it had become something more than a sentiment among its devotees: it had grown into a species of cult or party religion, for the existence of which no better reason can be assigned than that it sprang from a blind hero-worship locally accorded to John C. Calhoun, one of the prominent figures of American political history. As representative in Congress, Secretary of War under President Monroe, Vice-President of the United States under President John Quincy Adams, for many years United States Senator from South Carolina, and the radical champion of States Rights, Nullification, and Slavery, his brilliant fame was the pride, but his false theories became the ruin, of his State and section.

Governor Gist and his secession coadjutors had evidently still a lingering hope that the election might by some unforeseen contingency result in the choice of Breckinridge. On no other hypothesis can we account for the fact that on the 6th of November, when Northern ballots were falling in such an ample shower for Lincoln, the South Carolina Legislature, with due decorum and statute regularity, appointed Presidential electors for the

CHAP. XIX. State, and formally instructed them to vote for Breckinridge and Lane. The dawn of November 7 dispelled these hopes. The "strong probability" had become a stubborn fact.

South Carolina "House Journal," Called Session, 1860, pp. 16, 17.

When the certain news of Lincoln's election finally came, it was hailed with joy and acclamation by both the leaders and the people of South Carolina. They had at length their much coveted pretext for disunion; and they now put into the enterprise a degree of earnestness, frankness, courage, and persistency worthy of a better cause. Public opinion, so long prepared, responded with enthusiasm to the plans and calls of the leaders. Manifestations of disloyalty became universal. Political clubs were transformed into military companies. Drill-rooms and armories were alive with nightly meetings. Sermons, agricultural addresses, and speeches at railroad banquets were only so many secession harangues. The State became filled with volunteer organizations of "minute men."

The Legislature, remaining in extra session, and cheered and urged on by repeated popular demonstrations and the inflamed speeches of the highest State officials, proceeded without delay to carry out the Governor's programme. In fact, the members needed no great incitement. They had been freshly chosen within the preceding month; many of them on the well-understood "resistance" issue. Their election took place on the 8th and 9th days of October, 1860. Since there was but one party in South Carolina, there could be no party drill; but a tyrannical and intolerant public sentiment usurped its place and functions. On the sixteen

different tickets paraded in one of the Charleston newspapers, the names of the most pronounced disunionists were the most frequent and conspicuous. "Southern rights at all hazards," was the substance of many mottoes, and the palmetto and the rattlesnake were favorite emblems. There was neither mistaking nor avoiding the strong undercurrent of treason and rebellion here manifested, and the Governor's proclamation had doubtless been largely based upon it.

The first day's session of the Legislature (November 5) developed one of the important preparatory steps of the long-expected revolution. The Legislature of 1859 had appropriated a military contingent fund of one hundred thousand dollars, "to be drawn and accounted for as directed by the Legislature." The appropriation had been allowed to remain untouched. It was now proposed to place this sum at the control of the Governor to be expended in obtaining improved small arms, in purchasing a field battery of rifled cannon, in providing accouterments, and in furnishing an additional supply of tents; and a resolution to that effect was passed two days later. The chief measure of the session, however, was a bill to provide for calling the proposed State Convention, which it was well understood would adopt an ordinance of secession. There was scarcely a ripple of opposition to this measure. One or two members still pleaded for delay, to secure the cooperation of Georgia, but dared not record a vote against the prevailing mania. The chairman of the proper committee on November 10 reported an act calling a convention "for the purpose of taking

South Carolina "House Journal," Called Session, 1860, pp. 13, 14.

CHAP. XIX. into consideration the dangers incident to the position of the State in the Federal Union," which unanimously became a law November 13, and the extra session adjourned to meet again in regular annual session on the 26th.

Meanwhile public excitement had been kept at fever heat by all manner of popular demonstrations. The two United States Senators and the principal Federal officials resigned their offices with a public flourish of their insubordinate zeal. An enthusiastic ratification meeting was given to the returning members of the Legislature. To give still further emphasis to the general movement a grand mass meeting was held at Charleston on the 17th of November. The streets were filled with the excited multitude. Gaily dressed ladies crowded balconies and windows, and zealous mothers decorated their children with revolutionary badges. There was a brisk trade in fire-arms and gunpowder. The leading merchants and prominent men of the city came forth and seated themselves on platforms to witness and countenance a formal ceremony of insurrection. A white flag, bearing a palmetto tree and the legend *Animis opibusque parati* (one of the mottoes on the State seal), was, after solemn prayer, displayed from a pole of Carolina pine. Music, salutes, and huzzahs filled the air. Speeches were addressed to "citizens of the Southern Republic." Orations and processions completed the day, and illuminations and bonfires occupied the night. The preparations were without stint. The proceedings and ceremonies were conducted with spirit and abandon. The rejoicings were deep and earnest. And yet there was a skele-

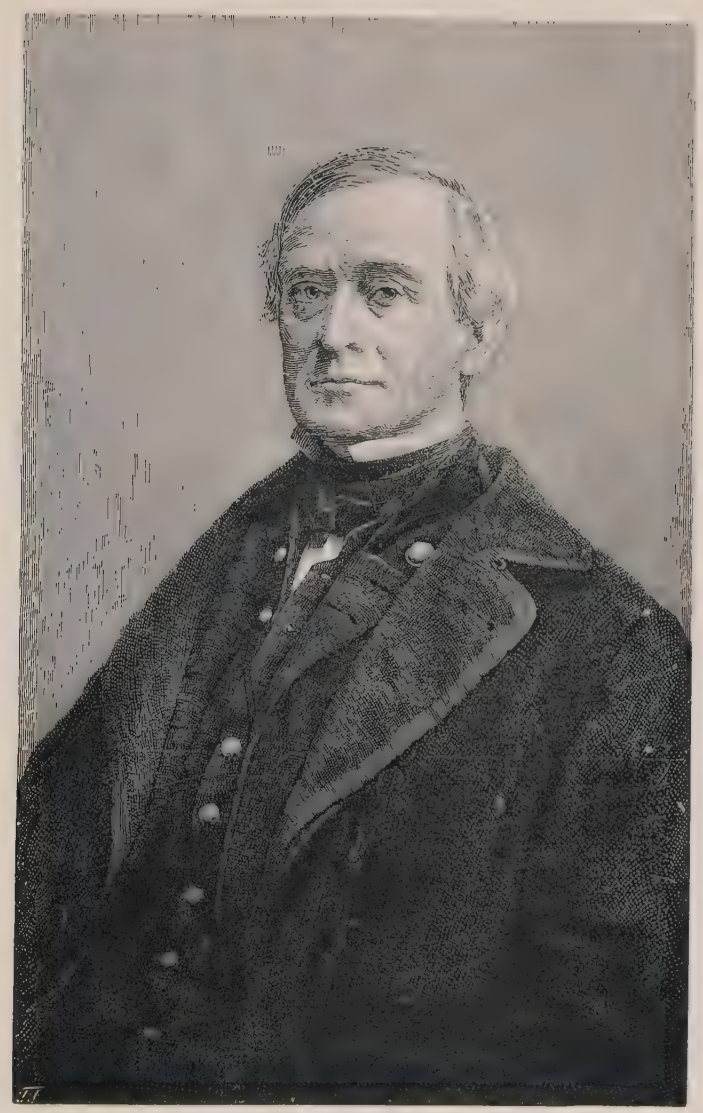
ton at the feast; the Federal flag, invisible among the city banners, and absent from the gay bunting and decorations of the harbor shipping, still floated far down the bay over a faithful commander and loyal garrison in Fort Moultrie. CHAP. XIX

CHAPTER XX

MAJOR ANDERSON

CHAP. XX. PRESIDENT BUCHANAN and his Administration could not, if they would, shut their eyes to the treasonable utterances and preparations at Charleston and elsewhere in the South; but so far neither the speeches nor bonfires nor palmetto flags, nor even the secession message of Governor Gist or the Convention bill of the South Carolina Legislature, constituted a statutory offense. For twelve years the threat of disunion had been in the mouths of the Southern slavery extremists and their Northern allies the most potent and formidable weapon of national politics. It was declaimed on the stump, elaborated in Congressional speeches, set out in national platforms, and paraded as a solemn warning in executive messages.

Mr. Buchanan had profited by the disunion cry both as politician and functionary; and now when disunion came in a practical and undisguised shape he was to a degree powerless to oppose it, because he was disarmed by his own words and his own acts. The disunionists were his partisans, his friends, and confidential counselors; they constituted a remnant of the once proud and successful party which, by his compliance and coöperation in



GENERAL ROBERT ANDERSON.

their interest, he had disrupted and defeated. Their programme hitherto had been the policy upon which he had staked the success or failure of his Administration, so that in addition to every other tie he was bound to them by the common sorrow of political disaster. CHAP. XX.

Being in such intimate relations and intercourse with the leaders of the Breckinridge wing of the Democratic party during the progress of the Presidential canvass, and that party being made up so exclusively of the extreme Southern Democrats, the President must have had constant information of the progress and development of the disunion sentiment and purpose in the South. He was not restricted as the other parties and the general public were to imperfect reports and doubtful rumors current in the newspapers.

But in addition there now came to him an official warning which it was a grave error to disregard. On October 29, one week before the election, the veteran Lieutenant-General Winfield Scott, General-in-Chief of the Army, communicated to him in writing his serious apprehensions of coming danger, and suggested such precautions as were then in the power of the Administration. Beginning life as a farmer's boy, collegian, and law student, General Scott from choice became a soldier, devoting himself to the higher aims of the profession of arms, and in a brilliant career of half a century had achieved world-wide renown as a great military captain. In the United States, however, the military is subordinated to the civic ambition, and Scott all his life retained a strong leaning to diplomacy and statesmanship, and on several important

CHAP. XX. occasions gave his country valuable service in essentially civic functions. He had been the unsuccessful Presidential candidate of the Whig party in 1852, a circumstance which no doubt greatly increased his personal attention to current politics, then and afterwards. As the first military officer of the nation, he was also the watchful guardian of the public peace.

The impending rebellion was not to him, as it was to the nation at large, a new event in politics. Many men were indeed aware, through tradition and history, that it was but the Calhoun nullification treason revived and pushed to a bolder extreme. To General Scott it was almost literally the repetition of an old experience. A generation before, he was himself a prominent actor in opposing the nullification plot. About the 4th of November, 1832, upon special summons, he was taken into a confidential interview by President Jackson, who, after asking Scott's military views upon the threatened rebellion of the nullifiers in Charleston harbor, by oral orders charged him with the duty of enforcing the laws and maintaining the supremacy of the Union; the President placing at his orders the troops and vessels necessary for this purpose. Scott accepted the trust and went to Charleston, and while humoring the nullification Quixotism existing there, he executed the purpose of his mission, by strengthening the defenses and reënforcing the Federal forts.[1] His task was ac-

Lieut.-General Winfield Scott, "Autobiography," Vol. I., p. 234.

[1] His policy, frankly written in a friendly letter to a prominent nullifier, could scarcely provoke the most captious criticism:

"You have probably heard of the arrival of two or three companies at Charleston in the last six weeks, and you may hear that as many more have fo' lowed. There is nothing incon-

complished with the utmost delicacy, but with firmness. The rebellion was indeed abandoned upon pretense of compromise; but had a conflict occurred at that time the flag of the Union would probably not have been the first to be lowered in defeat.

It was, therefore, most fitting that in these new complications Lieutenant-General Scott should officially admonish President Buchanan. He addressed to him a paper entitled "Views suggested by the imminent danger (October 29, 1860) of a disruption of the Union by the secession of one or more of the Southern States"; and also certain supplementary memoranda the day after, to the Secretary of War, the two forming in reality but a single document. General Scott was at this time residing in New York City, and the missives were probably twenty-four hours in reaching Washington. This letter of the commander of the American armies written at such a crisis is full of serious faults, and is a curious illustration of the temper of the times, showing as it does that even in the mind of the first soldier of the republic the foundations of political faith were crumbling away. The superficial and speculative theories of Scott the politician stand out in unfavorable contrast to the practical advice of Scott the soldier.

Once break the Union by political madness, reasons Scott the politician, and any attempt to

sistent with the President's message in these movements. The intention simply is that the forts in the harbor shall not be wrested from the United States. . . The President, I presume, will stand on the defensive, thinking it better to discourage than to invite an attack — better to prevent than to repel one."— Lieut.-Gen. Winfield Scott, "Autobiography," Vol. I., p. 242.

CHAP. XX.

restore it by military force would establish despotism and create anarchy. A lesser evil than this would be to form four new confederacies out of the fragments of the old.[1] And on this theme he theorizes respecting affinities and boundaries and the folly of secession.

The advice of Scott the soldier was wiser and more opportune. The prospect of Lincoln's election, he says, causes threats of secession. There is danger that certain forts of national value and importance, six totally destitute of troops, and three having only feeble and insufficient garrisons, may be seized by insurgents. "In my opinion all these works should be immediately so garrisoned as to make any attempt to take any one of them, by surprise or *coup de main*, ridiculous." There were five companies of regulars within reach, available for this service. This plan was provisional only; it eschewed the idea of invading a seceded State;

"Mr. Buchanan's Administration." Appendix, p. 289.

[1] "All the lines of demarkation between the new Unions cannot be accurately drawn in advance, but many of them approximately may. Thus, looking to natural boundaries and commercial affinities, some of the following frontiers, after many waverings and conflicts, might perhaps become acknowledged and fixed:

"1. The Potomac River and the Chesapeake Bay to the Atlantic. 2. From Maryland along the crest of the Alleghany (perhaps the Blue Ridge) range of mountains, to some point on the coast of Florida. 3. The line from say the head of the Potomac to the west or north-west, which it will be most difficult to settle. 4. The crest of the Rocky Mountains.

"The South-east Confederacy would, in all human probability, in less than five years after the rupture, find itself bounded by the first and second lines indicated above, the Atlantic, and the Gulf of Mexico, with its capital at say Columbia, South Carolina. The country between the second, third, and fourth of those lines would, beyond a doubt, in about the same time, constitute another Confederacy, with its capital at probably Alton or Quincy, Illinois. The boundaries of the Pacific Union are the most definite of all, and the remaining States would constitute the North-east Confederacy with its capital at Albany."— Scott, "Views," printed in "Mr. Buchanan's Administration," pp. 287–288, Appendix.

and he suggested the collection of customs duties, outside of the cities. CHAP. XX.

Eight to ten States on the verge of insurrection — nine principal sea-coast forts within their borders, absolutely at the mercy of the first handful of street rabble that might collect, and only about four hundred men, scattered in five different and distant cities, available to reënforce them! It was a startling exhibit of national danger from one professionally competent to judge and officially entitled to advise. His timely and patriotic counsel President Buchanan treated with indifference and neglect. "From the impracticable nature of the 'Views,' and their strange and inconsistent character, the President dismissed them from his mind without further consideration." Such is Mr. Buchanan's own confession. He indulges in the excuse that to have then attempted to put these five companies in all or part of these nine forts "would have been a confession of weakness instead of an exhibition of imposing and overpowering strength." "None of the Cotton States had made the first movement towards secession. Even South Carolina was then performing all her relative duties, though most reluctantly, to the Government," etc. "To have attempted such a military operation with so feeble a force, and the Presidential election impending, would have been an invitation to collision and secession. Indeed, if the whole American army, consisting then of only sixteen thousand men, had been 'within reach' they would have been scarcely sufficient for this purpose."

"Mr. Buchanan's Administration," p. 104.

Buchanan, in the "National Intelligencer," Oct. 1, 1862.

The error of this reasoning was well shown by General Scott in a newspaper controversy which

CHAP. XX. subsequently ensued.[1] He pointed out that of the nine forts enumerated by him, six, namely, Forts Moultrie and Sumter in Charleston harbor, Forts Pickens and McRae in Pensacola harbor, and Forts Jackson and St. Philip guarding the Mississippi below New Orleans, were "twin forts" on opposite sides of a channel, whose strength was more than doubled by their very position and their ability to employ cross and flanking fire in mutual support and defense. These works, together with the three others mentioned by General Scott, namely, Fort Morgan in Mobile harbor, Fort Pulaski below Savannah, and Fortress Monroe at Hampton Roads, were all, because of their situation at vital points, not merely works of local defense, but of the highest strategical value. The reënforcements advised would surely have enabled the Government to hold them until further defensive measures could have been arranged; and the effect of such possession on the incipient insurrection may be well imagined when we remember the formidable armaments afterwards employed in the reduction of such of them as were permitted, without an effort on the part of President Buchanan to prevent it, to be occupied by the insurgents.

But the warning to the Administration that the Southern forts were in danger came not alone from

[1] "But the ex-President sneers at my weak device for saving the forts. He forgets what the gallant Anderson did with a handful of men in Fort Sumter, and leaves out of the account what he might have done with a like handful in Fort Moultrie, even without further augmentation of men to divide between the garrisons. Twin forts on the opposite sides of a channel not only give a cross fire on the head of attack, but the strength of each is more than doubled by the flanking fire of the other."— Gen. Scott, in the "National Intelligencer" of November 12, 1862.

General Scott. Two of the works mentioned by him as of prime importance were Forts Moultrie and Sumter in Charleston harbor. There was still a third fort there, Castle Pinckney, in a better condition of repair and preparation than either of the former, and much nearer the city. Had it been properly occupied and manned, its guns alone would have been sufficient to control Charleston. But there was only an ordnance sergeant in Castle Pinckney, only an ordnance sergeant in Fort Sumter, and a partial garrison in Fort Moultrie. Both Sumter and Moultrie were greatly and Castle Pinckney slightly out of repair. During the summer of 1860 Congress made an appropriation for these works; and the engineer captain who had been in charge for two years had indeed been ordered to begin and prosecute repairs in the two forts. CHAP. XX.

Captain J. G. Foster, the engineer to whom this duty was confided, was of New England birth and a loyal and devoted soldier. He began work on the 12th of September; and not foreseeing the consequences involved, employed in the different works between two and three hundred men, partly hired in Charleston, partly in Baltimore. There were in the several forts not only the cannon to arm them, but also considerable quantities of ammunition and other government property; and aware of the hum of secession preparation which

Report, F. J. Porter. W. R.[1] Vol. I., pp. 70–72.

[1] (As reference to the Government publication, "War of the Rebellion: Official Records of the Union and Confederate Armies," will be so frequent in the course of this work, and under its full title would require so much space, the authors have decided to adopt the simple abbreviation "W. R.," as above. Where the number of the series is not mentioned, Series I. will always be implied.)

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began to fill the air in Charleston, Captain Foster in October asked the Ordnance Bureau at Washington for forty muskets, with which to arm twenty workmen in Fort Sumter and twenty in Castle Pinckney. "If," wrote the Chief of Ordnance to the Secretary of War, "the measure should on being communicated meet the concurrence of the commanding officer of the troops in the harbor, I recommend that I may be authorized to issue forty muskets to the engineer officer." Upon this recommendation, Secretary of War Floyd wrote the word "approved." Under the usual routine of peaceful times the questions went by mail to Colonel Gardner, then commander of the harbor, "Is it expedient to issue forty muskets to Captain Foster? Is it proper to place arms in the hands of hired workmen? Is it expedient to do so?"

Craig to Floyd, Oct. 31, 1860, with Floyd's indorsement. W. R. Vol. I., pp. 67–8.

To this Colonel Gardner replied, under date of November 5, that, repeating what he had already written, his fears were not of any attack on the works, authorized by the city or State, but there was danger of such an attempt from a sudden tumultuary force; and that while in such an event forty muskets would be desirable, he felt "constrained to say that the only proper precaution — that which has no objection — is to fill these two companies with drilled recruits (say fifty men) at once, and send two companies from Old Point Comfort to occupy, respectively, Fort Sumter and Castle Pinckney."

Gardner to Craig, November 5, 1860. W. R. Vol. I., pp. 68–9.

His answer and recommendation were both business-like and soldierly, and contained no indications that justify any suspicion of his loyalty or judgment. Meanwhile, on the heels of this official

call for reënforcements, came a still more urgent one. It is alleged on the one hand that complaints of the inefficiency of Colonel Gardner had reached Washington, and that, in consequence thereof, either the Secretary of War or the President sent for specific information in regard to it. Major Fitz John Porter, then Assistant Adjutant-General, on duty in the War Department, went in person to Charleston, and made the examination. There are, on the other hand, several vague allegations by the insurgents, to the substantial effect that this call for reënforcements was Colonel Gardner's real offense; leaving the implication that Major Fitz John Porter's inspection was purposely instituted to find reasons for removing the Colonel and thus frustrating the obligation to send him additional troops. The order for Major Porter's visit was made on November 6; he returned to Washington and made an oral statement, and on the 11th of November wrote out his report for the Department in due form.

Dawson, "Historical Magazine," January, 1872, p. 37.

F. J. Porter to Cooper, November 11, 1860. W. R. Vol. I., pp. 70–72.

According to this report, while Colonel Gardner had been remiss in a few minor details, he had in reality been vigilant, loyal, and efficient in main and important matters. He had foreseen the coming danger, had advised the Government, and called for reënforcements; had recommended not only strengthening the garrison of Moultrie, but the effective occupation of both Sumter and Castle Pinckney; and had made an effort in good faith to remove the public arms and goods from their exposed situation in the arsenal in the city of Charleston, to the security of the fort. Though Southern in feeling and pro-slavery in sentiment,

CHAP. XX. he was true to his oath and his flag; and had he
Doubleday, "Forts Sumter and Moultrie," p. 19. been properly encouraged and supported by his Government, would evidently have merited no reproach for inefficiency or indifference.

But the fatal entanglement of Buchanan's Administration with the slavery extremists had the double effect of weakening loyalty in army officers and building up rebellion among the Southern people. Instead of heeding the advice of Colonel Gardner to reënforce the forts, it removed him from command, and within two months the President submitted silently to the taunt of the South Carolina rebel commissioners that it was in punishment for his loyal effort to save the Government property. Whatever the motive may have been, the Government was now fully warned, as early as November
1860 11, a week before the first secession jubilee in Charleston, and more than a month before the passage of the secession ordinance, of the imminence of the insurrection and danger to the forts. General Scott had warned it, Colonel Gardner had warned it, and now again Major Porter, its special and confidential agent, had not only repeated that warning, but his report had been made the basis of Government discussion in the change of commanders.

The action of the Government was unusually prompt. On November 11, as we have seen, Major Porter made his written report, and on the 13th he delivered to Major Robert Anderson in New York the order to take command of the forts and forces in Charleston harbor. Major Anderson, suitably qualified by meritorious service, age, and rank, was deemed especially acceptable for the position

because he was a Kentuckian by birth, and related by marriage to a prominent family of Georgia. Such sympathies as might influence him were supposed to be with the South, and his appointment would not, therefore, grate harshly on the susceptibilities of the Charlestonians.

The statement, many times repeated, that he owned a plantation in the South is incorrect. He never owned a plantation in Georgia or anywhere else. On the death of his father he came into possession of a small number of slaves. These he liberated as soon as the proper papers could be executed and sent to him at his distant post; and he always afterwards helped them when they were in need and applied to him.[1]

The army headquarters being then in New York, Major Anderson on the same day called on General Scott, and in conversation with the veteran General-in-Chief learned that army affairs were being carried on at Washington by Secretary Floyd, without consulting him. Under these circumstances Scott did not deem himself authorized to interfere even by suggestion. Nevertheless, the whole Charleston question seems to have been fully discussed, and the relative strength of the forts, and the possible necessity of occupying Sumter commented upon in such manner as no doubt produced its effect in the subsequent

[1] We are indebted to Mrs. Anderson, not only for the correction of this error, but for permission to examine many private papers relating to Major Anderson's experience in Fort Sumter. It affords us the highest pleasure to add that though all her relatives in Georgia became secessionists, she remained enthusiastically and devotedly loyal to the Union, and that her letters carried constant cheer and encouragement to her husband during the months he was besieged in Charleston harbor.

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F. J. Porter to Dawson. "Historical Magazine," January, 1872, pp. 37, 38.

action of Anderson. Major Anderson next went to Washington, and received the personal instructions of Secretary Floyd, and returning thereafter to New York, General Scott in that city gave him on November 15th formal written orders to proceed to Fort Moultrie and take command of the post.

CHAPTER XXI

THE CHARLESTON FORTS

MAJOR ANDERSON reached Fort Moultrie and assumed command on the 21st of November, 1860. Having from his several interviews with the President, Secretary of War, and Lieutenant-General Scott become fully impressed with the importance of his trust, he proceeded as a first duty to acquaint himself thoroughly with his situation and resources. The great Charleston secession celebration on the 17th had been held while he was on his way; the glare of its illumination was extinguished, the smoke of its bonfires had been dissipated by the fresh Atlantic breezes, and its holiday insurgents had returned to the humdrum of their routine employments. It was, therefore, in uninterrupted quiet that on the 23d of November he in company with Captain Foster made a tour of inspection to the different forts, and on the same day wrote out and transmitted to the War Department a somewhat detailed report of what he saw with eyes fresh to the scenes and surroundings, which, as he already felt, were to become the subjects of his most intense solicitude. On the main point, indeed, there was no room for doubt. Agreeing with General Scott, with Colonel

Foster to De Russey, November 24, 1860. W. R. Vol. I., p. 76.

CHAP. XXI. Gardner, and with Major Porter, he gave the Government its fourth warning that the harbor must be immediately and strongly reënforced.

> . . . The garrison now in it [Moultrie] is so weak as to invite an attack, which is openly and publicly threatened. We are about sixty, and have a line of rampart of 1500 feet in length to defend. If beleaguered, as every man of the command must be either engaged or held on the alert, they will be exhausted and worn down in a few days and nights of such service as they would then have to undergo.

Anderson to Adjutant-General, November 23, 1860. W. R. Vol. I., p. 74.

Such, in brief, was the condition of the fort he had been sent to hold. Moultrie was clearly the weak point of the situation. Already informed, to some extent at least, by the superior military genius of General Scott, in his recent interviews with that distinguished commander, Major Anderson now more forcibly, from personal inspection, comprehended its strong points. What was then perfectly obvious to the trained military insight of Scott and Anderson is now in the light of historical events quite as obvious to the civilian. Look at any good map of Charleston harbor, and it will be seen that the city lies on the extreme point of a tongue of land between the Ashley and Cooper rivers, every part being within easy range under the guns of Castle Pinckney, on a small island, three-quarters of a mile distant. Four miles to seaward is the mouth of the harbor, and nearly midway therein stood the more extensive and imposing work of Fort Sumter, its guns not only sweeping all the approaches and ship-channels, but the shores and islands on either hand. It needs but a glance at the map to see that with proper garrisons and

armaments Fort Sumter commanded the harbor and Castle Pinckney commanded the city. CHAP. XXI.

If the Government could hitherto plead ignorance of these advantages against the rising insurrection, that excuse was no longer left after the report of Major Anderson. In this same report he calls attention to them in detail. Though not in a complete state of defense, he gives notice that Fort Sumter "is now ready for the comfortable accommodation of one company, and indeed for the temporary reception of its proper garrison. Captain Foster states that the magazines (four) are done and in excellent condition; that they now contain forty thousand pounds of cannon-powder and a full supply of ammunition for one tier of guns. This work [Sumter] is the key to the entrance of this harbor; its guns command this work [Moultrie], and could soon drive out its occupants. It should be garrisoned at once."

Still more strenuously does he insist upon the value of Castle Pinckney. "Castle Pinckney, a small casemated work, perfectly commanding the city of Charleston, is in excellent condition with the exception of a few repairs, which will require the expenditure of about five hundred dollars. . . It is, in my opinion, essentially important that this castle should be immediately occupied by a garrison, say, of two officers and thirty men. The safety of our little garrison would be rendered more certain, and our fort would be more secure from an attack by such a holding of Castle Pinckney, than it would be from quadrupling our force. The Charlestonians would not venture to attack this place [Moultrie] when they knew that their city

CHAP. XXI. was at the mercy of the commander of Castle Pinckney. . . If my force was not so very small I would not hesitate to send a detachment at once to garrison that work." So full of zeal was Major Anderson that the Government should without delay augment its moral and material strength, that in default of soldiers he desired to improvise a garrison for it by sending there a detachment of thirty laborers in charge of an officer, vainly hoping to supply them with arms and instruct them in drill, and hold the work until reënforcements should come. Having in detail proposed protective measures, he again, in the same letter, forcibly presents the main question of the hour to the Secretary of War, whose weakness and treachery were as yet unsuspected.

> Fort Sumter and Castle Pinckney must be garrisoned immediately if the Government determines to keep command of this harbor. I need not say how anxious I am — indeed determined, so far as honor will permit — to avoid collision with the citizens of South Carolina. Nothing, however, will be better calculated to prevent bloodshed than our being found in such an attitude that it would be madness and folly to attack us. . . The clouds are threatening and the storm may break upon us at any moment. I do, then, most earnestly entreat that a reënforcement be immediately sent to this garrison, and that at least two companies be sent at the same time to Fort Sumter and Castle Pinckney — half a company, under a judicious commander, sufficing, I think, for the latter work. . . With these three works garrisoned as requested, and with a supply of ordnance stores, for which I shall send requisitions in a few days, I shall feel that, by the blessing of God, there may be a hope that no blood will be shed, and that South Carolina will not attempt to take these forts by force, but will resort to diplomacy to secure them. If we neglect, however, to strengthen ourselves,

she will, unless these works are surrendered on their first demand, most assuredly immediately attack us.

Anderson to Adjutant-General, Nov. 23, 1860. W. R. Vol. I., pp. 75–6.

If Major Anderson had added no further word to the clear and straightforward statement and recommendation thus far quoted, his professional judgment and manly sense of duty would stand honorably vindicated before posterity. But his language of loyalty, of wisdom, of humanity, of soldierly devotion, which ought to have elicited a reply as inspiring as a drum-roll or a trumpet-blast, brought him no kindred echo. There was fear in the Executive Mansion, conspiracy in the Cabinet, treason and intrigue in the War Department. Chilling instructions came that he might employ civilians in fatigue and police duty, and that he might send his proposed party of laborers to Castle Pinckney. Meanwhile some of his suggestions would be under consideration; besides, he was cautioned to send his communications to the Adjutant-General or Secretary of War, with the evident purpose to forestall and prevent any patriotic order or suggestion which might otherwise reach him from General Scott.

Adjutant-General to Anderson, Nov. 24, 1860. W. R. Vol. I., p. 76.

Ibid., Nov. 28, 1860. W. R. Vol. I., p. 77.

Nevertheless, Anderson did not weary in his manifest duty. His letters of November 28 and December 1, though perhaps not as full and urgent, are substantial repetitions of his former recommendations. The growing excitement of the Charleston populace and the increasing danger to the forts are restated with emphasis. He says that there appears to be a romantic desire urging the South Carolinians to have possession of Fort Moultrie. Various reports come, that as soon as the State should secede the forts would be demanded,

CHAP. XXI. and if not surrendered, they would be taken. All rumors and remarks indicate a fixed purpose to have these works. The Charlestonians are drilling nightly, and making every preparation for the fight which they say must take place.

Once more he repeated that the security of Fort Moultrie would be more greatly increased by throwing garrisons into Castle Pinckney and Fort Sumter than by anything that could be done in strengthening its own defenses. He sent a detailed report of his command to force again upon the attention of the Department his fatal deficiency in numbers, and to show the practical impossibility of repelling an assault, or resisting a siege with any reasonable hope of success. His letters reached the same inevitable conclusion: "The question for the Government to decide — and the sooner it is done the better — is, whether, when South Carolina secedes, these forts are to be surrendered or not. If the former, I must be informed of it, and instructed what course I am to pursue. If the latter be the determination, no time is to be lost in either sending troops, as already suggested, or vessels of war to this harbor. Either of these courses may cause some of the doubting States to join South Carolina. I shall go steadily on preparing for the worst, trusting hopefully in the God of battles to guard and guide me in my course."

Anderson to Adjutant-General, Nov. 28, 1860. W. R. Vol. I., pp. 78–9.

Ibid., Dec. 1, 1860. W. R. Vol. I., pp. 81–2.

While Anderson was thus penning the plain issue, as it lay in the clear light of a soldier's conception of right and conviction of duty, another pen was framing the reply agreed upon by the President and his advisers at Washington. Major

Anderson might have faith in the God of battles, but what faith could he have in a Government holding one-third of a vast continent peopled by thirty millions of freemen which could not or would not, in face of the most urgent reiterated appeals and the most imminent and palpable necessity, send him two or three companies of recruits, when the possession of three forts, the peace of a city, the allegiance of a State, if not the tremendous alternative of civil war, hung in the balance? CHAP. XXI.

"It is believed,"—so ran the reply, and apparently the final decision of the Government,—"from information thought to be reliable, that an attack will not be made on your command, and the Secretary has only to refer to his conversation with you, and to caution you that should his convictions unhappily prove untrue, your actions must be such as to be free from the charge of initiating a collision. If attacked, you are, of course, expected to defend the trust committed to you to the best of your ability. The increase of the force under your command, however much to be desired, would, the Secretary thinks, judging from the recent excitement produced on account of an anticipated increase, as mentioned in your letter, but add to that excitement and might lead to serious results."

Adjutant-General to Anderson, Dec. 1, 1860. W. R. Vol I., pp. 82, 83.

This renunciation by the War Department of the proper show of authority and power, demanded by plain necessity and repeatedly urged by its trusted agents, must have touched the pride of Anderson and his brother officers. But a still deeper humiliation was in store for them. The same letter brought him the following notice: "The

CHAP. XXI. Secretary of War has directed Brevet Colonel Huger to repair to this city as soon as he can safely leave his post, to return there in a short time. He desires you to see Colonel Huger, and confer with him prior to his departure on the matters which have been confided to each of you."

Abner Doubleday, "Reminiscences of Forts Sumter and Moultrie," p. 42.

Colonel Huger was an ordnance officer of the army, then stationed for duty in Charleston, of distinguished connections in that city, and having on that account as well as personally great local influence. What the precise nature of the instructions were, which the Department sent him, does not appear from any accessible correspondence. The result of the action which the two officers took thereunder is, however, less doubtful.

It appears to have been, in effect, a mission by two army officers of honorable rank, in obedience to direct commands from the Secretary of War, to humbly beg the Charlestonians not to assault the forts. Major Anderson on his part dismisses the distasteful mission with a significantly curt report: "I have the honor to acknowledge the receipt on the 4th of your communication of the 1st instant. In compliance therewith I went yesterday to the city of Charleston to confer with Colonel Huger, and I called with him upon the Mayor of the city, and upon several other prominent citizens. All seemed determined, as far as their influence or power extends, to prevent an attack by a mob on our fort; but all are equally decided in the opinion that the forts must be theirs after secession."

What a bitter confession for a brave and sensitive soldier, who knew that with half a company of artillerymen in Castle Pinckney, as he had

vainly demanded, the Charleston mob, with the conspiring Governor and insurgent secession convention, would have been compelled to accept from him, as the representative of a forbearing Government, the safety of their roof-trees and the security of their hearthstones.

But, his duty was to obey, and so he resigned himself without a murmur to the hard conditions which had fallen to his lot. "I shall, nevertheless," adds Anderson, "knowing how excitable this community is, continue to keep on the *qui vive* and, as far as is in my power, steadily prepare my command to the uttermost to resist any attack that may be made. . . . Colonel Huger designs, I think, leaving Charleston for Washington to-morrow night. He is more hopeful of a settlement of impending difficulties without bloodshed than I am."

Anderson to Adjutant-General, Dec. 6, 1860. W. R. Vol. I., pp. 87, 88.

CHAPTER XXII

THE PRESIDENT'S MESSAGE

CH. XXII. LESS than a month intervened between the November election at which Lincoln had been chosen and the annual session of Congress, which would meet on the first Monday of December, and it was necessary at once to begin the preparation of the annual message. A golden opportunity presented itself to President Buchanan. The suffrages of his fellow-citizens had covered his political theories, his party measures, and his official administration with condemnation, in an avalanche of ballots.[1] But the Charleston conspirators had within a very few days created for him a new issue overshadowing all the questions on which he had suffered political wreck. Since the 6th of November the campaign of the Border Ruffians for the conquest of Kansas, and the wider Congressional struggle for the possession of the Territories, might be treated as things of the past. Even had they still been pending issues, they paled into insignificance before the paramount question of disunion. Face to face with this danger, the adherents of Lincoln, of Douglas, of Bell, and the

[1] There were 3,832,240 opposition popular votes against 847,953 for Breckinridge and Lane, the Presidential ticket championed by Mr. Buchanan and his adherents.

fraction of the President's own partisans in the free States would be compelled to postpone their discords and as one man follow the constitutional ruler in a constitutional defense of the laws, the flag, and the territory of the Union.

Without change of position, without recantation of principle, without abatement even of declared party doctrine, honestly executing only the high mandate of the Constitution, he could turn from the old issues and take up the new. A single stride, and from the flying leader of a discomfited rout he might become the mailed hero of an overpowering host. Tradition, patriotism, duty, the sleepless monition of a solemn official oath, all summoned him to take this step, and the brilliant example set by President Jackson — an incident forever luminous in American history — assured him of the plaudits of posterity.

Unfortunately for himself and for his country, President Buchanan had neither the intellectual independence nor the courage required for such an act of moral heroism. Of sincere patriotism and of blameless personal rectitude, he had reached political eminence by slow promotion through seniority, not by brilliancy of achievement. He was a politician, not a statesman. Of fair ability, and great industry in his earlier life, the irresolution and passiveness of advancing age and physical infirmity were now upon him. Though from the free State of Pennsylvania, he saw with Southern eyes and heard with Southern ears, and had convinced himself that the South was acting under the impulse of resentment arising from deliberate and persistent injuries from the North.

CH. XXII. The fragment of an autograph diary of John B. Floyd, Secretary of War,[1] affords the exact evidence of the temper in which President Buchanan officially confronted the rebellion of the Southern States. The following are extracts from entries, on several days, beginning with November 7, 1860, the day following the Presidential election:

WASHINGTON CITY, November 7, 1860.

. . . The President wrote me a note this evening, alluding to a rumor which reached the city to the effect that an armed force had attacked and carried the forts in Charleston harbor. He desired me to visit him, which I did, and assured him that the rumor was altogether without foundation, and gave it as my opinion that there was no danger of such an attempt being made. We entered upon a general conversation upon the subject of disunion and discussed the probabilities of it pretty fully. We concurred in the opinion that all indications from the South looked as if disunion was inevitable. He said that whilst his reason told him there was great danger, yet his feelings repelled the conviction of his mind.

Judge Black, the Attorney-General, was present during a part of the conversation, and indicated an opinion, that any attempt at disunion by a State should be put down by all the power of the Government.[2]

November 9. . . A Cabinet meeting was held as usual at 1 o'clock; all the members were present, and the Presi-

[1] Printed in "The Early Life, Campaigns, and Public Services of Robert E. Lee, with a record of the campaigns and heroic deeds of his companions in arms, by a distinguished Southern journalist." 8vo. E. B. Treat, publisher, New York, 1871; p. 789; article, Major-General John B. Floyd. It says: "Among his private papers examined after his death the fragment of a diary was found, written in his own hand, and which is here copied entire." The diary also bears internal evidence of genuineness.

[2] The astounding mysteries and eccentricities of politics find illustration in the remarkable contrast between this recorded impulsive and patriotic expression of Attorney-General Black on November 7, and his labored official opinion of an apparently opposite tenor, certified to the President under date of November 20. See "Opinions of the Attorneys-General." Vol. IX., p. 517.

dent said the business of the meeting was the most important ever before the Cabinet since his induction into office. The question, he said, to be considered and discussed, was as to the course the Administration should advise him to pursue in relation to the threatening aspect of affairs in the South, and most particularly in South Carolina. After a considerable amount of desultory conversation, he asked the opinions of each member of the Cabinet as to what should be done or said relative to a suggestion which he threw out. His suggestion was that a proposition should be made for a general convention of the States as provided for under the Constitution, and to propose some plan of compromising the angry disputes between the North and the South. He said if this were done, and the North or non-slaveholding States should refuse it, the South would stand justified before the whole world for refusing longer to remain in a confederacy where her rights were so shamefully violated. He said he was compelled to notice at length the alarming condition of the country, and that he would not shrink from the duty.

General Cass spoke with earnestness and much feeling about the impending crisis — admitted fully all the great wrongs and outrages which had been committed against the South by Northern fanaticism, and deplored it. But he was emphatic in his condemnation of the doctrine of secession by any State from the Union. He doubted the efficacy of the appeal for a convention, but seemed to think it might do well enough to try it. He spoke warmly in favor of using force to coerce a State that attempted to secede.

Judge Black, the Attorney-General, was emphatic in his advocacy of coercion, and advocated earnestly the propriety of sending at once a strong force into the forts in Charleston harbor, enough to deter, if possible, the people from any attempt at disunion. He seemed to favor the idea of an appeal for a general convention of all the States.

Governor Cobb, the Secretary of the Treasury, declared his very decided approbation of the proposition for two reasons — first, that it afforded the President a great opportunity for a high and statesmanlike treatment of

CH. XXII. the whole subject of agitation, and the proper remedies to prevent it; secondly, because, in his judgment, the failure to procure that redress which the South would be entitled to and would demand (and that failure he thought certain), would tend to unite the entire South in a decided disunion movement. He thought disunion inevitable, and under present circumstances most desirable.

Mr. Holt, the Postmaster-General, thought the proposition for the convention dangerous, for the reason that if the call should be made and it should fail to procure redress, those States which now are opposed to secession might find themselves inclined, from a feeling of honor, to back the States resolving on disunion. Without this common demand and common failure he thought there would be no such danger of united action, and therefore a stronger prospect of some future plan of reconciliation.

Mr. Thompson, the Secretary of the Interior, thought well of the plan of calling for a general convention — thought his State (Mississippi) about equally divided between the union and disunion men. He deprecated the idea of force, and said any show of it by the Government would instantly make Mississippi a unit in favor of disunion.

Mr. Toucey, Secretary of the Navy, thought well of the appeal for the convention — coincided in an opinion I had expressed, that retaliatory State measures would prove most availing for bringing the Northern fanatics to their senses.

I expressed myself decidedly opposed to any rash movement, and against the idea of secession at this time. I did so because I think that Lincoln's administration will fail, and be regarded as impotent for good or evil within four months after his inauguration. We are to meet tomorrow at 1 o'clock.

November 10. . . We had a Cabinet meeting to-day, at which the President read a very elaborate document, prepared either as a part of his message or as a proclamation. It was well written in the main, and met with extravagant commendation from General Cass, Governor Toucey, Judge Black, and Mr. Holt. Cobb, Thompson, and myself found much to differ from in it,—Cobb because it

inculcated submission to Lincoln's election and intimated the use of force to coerce a submission to his rule, and because it reprehended the policy of the Kansas-Nebraska bill; Thompson because of the doctrine of acquiescence and the hostility to the secession doctrine. I objected to it because I think it misses entirely the temper of the Southern people and attacks the true State-Rights doctrine on the subject of secession. I do not see what good can come of the paper, as prepared, and I do see how much mischief may flow from it.

Pollard, "Life and Times of Robert E. Lee," etc., pp. 79[illegible]84.

It is an open question whether we may accept these extracts at their full literal import. Either the words "coerce," "submission," "use of force," and so on, are written down by the diarist in a sense different from that in which they were spoken, or the President and several of his counselors underwent an amazing change of sentiment. But in a general way they show us that on the fourth day after Lincoln's election the Buchanan Cabinet was already divided into hostile camps. Cass of Michigan, Secretary of State, Toucey of Connecticut, Secretary of the Navy, Black of Pennsylvania, Attorney-General, and Holt of Kentucky, Postmaster-General, were emphatic Unionists; while Cobb of Georgia, Secretary of the Treasury, Thompson of Mississippi, Secretary of the Interior, and Floyd of Virginia, Secretary of War, were secessionists—the latter yet professing devotion to the Union, but with such ifs and buts as left sufficiently clear evidence of his inevitable drift to disloyalty.

All impulses of prudence and patriotism ought to have moved the President to reconstruct his Cabinet. But instead of some energetic executive act of this character, he seems to have applied himself to the composition of a political essay to teach the North its duty; as if his single pen had power to

CH. XXII. change the will of the people of the United States upon a point which they had decided by their votes only four days previously after six years of discussion. In the draft of this document, which he read to his Cabinet on November 10, we have the important record that "it inculcated submission to Lincoln's election, and intimated the use of force to coerce a submission to his rule"—positions which Floyd records were "met with extravagant commendations from General Cass, Governor Toucey, Judge Black, and Mr. Holt." This was a true touchstone; it instantly brought out not only the open secessionism of Cobb and Thompson, but the disguised disloyalty of Floyd.

It is a strange historical phenomenon that, with the President and a majority of the Cabinet in this frame of mind, the South should have been permitted to organize rebellion. The solution seems to lie in the temporizing feebleness of Buchanan and in the superior finesse and daring conspiracy of Cobb, Thompson, and Floyd.

Many indications make it evident that a long factional struggle took place over the preparation of the President's message. The telegraph announced several protracted Cabinet sessions; and as early as the 21st of November the points under discussion and the attitude of the President and his several official advisers were accurately foreshadowed in the newspapers. Nor were these momentous deliberations confined to the Cabinet proper. All the varieties of suggestion and contradictory counsels which were solicited or tendered we may never learn, and yet we know enough to infer the highest extremes and antagonisms of

doctrine and policy. Jefferson Davis, the future chief of the rebellion, came on the one hand at the urgent call of his fellow-conspirators; Edwin M. Stanton, afterwards Buchanan's Attorney-General and Lincoln's Secretary of War,[1] was on the other hand called in by Mr. Buchanan himself, to help him through the intricate maze of his perplexed opinions and inclinations. How many others may have come voluntarily or by summons it is impossible to guess. Many brains and hands, however, must have joined in the work, since the document is such a heterogeneous medley of conflicting theories, irreconcilable doctrines, impracticable and irrelevant suggestions. For at length the hesitating and bewildered President, unable to decide and impotent to construct, seems to have made his message a patchwork from the contributions of his advisers, regular and irregular, with the inevitable effect, not to combine and strengthen, but to weaken and confuse the warring thoughts and alien systems.

Aside from the mere recapitulation of department reports, the message of President Buchanan delivered to Congress on the 4th of December occupied itself mainly with two subjects — slavery and disunion. On the question of slavery it re-

[1] "It was while these plans for a *coup d'état* before the 4th of March were being matured in the very Cabinet itself and in the presence of a President too feeble to resist them and too blind even to see them, that Mr. Stanton was sent for by Mr. Buchanan to answer the question, 'Can a State be coerced?' For two hours he battled, and finally scattered for the time being the heresies with which secession had filled the head of that old broken-down man. He was requested to prepare an argument in support of the power, to be inserted in the forthcoming message." — Hon. H. L. Dawes, in the "Boston Congregationalist." See "Atlantic Monthly," October, 1870, p. 468.

CH. XXII. peated the assertions and arguments of the Buchanan faction of the Democratic party during the late Presidential campaign, charging the present peril entirely upon the North. As a remedy it recommended an amendment to the Federal Constitution expressly[1] recognizing slavery in States which had adopted or might adopt it, and also expressly giving it existence and protection in the Federal Territories. The proposal was simply childish. Precisely this issue had been decided at the Presidential election; to do this would be to reverse the final verdict of the ballot-box.[2]

On the question of disunion or secession, the message raised a vague and unwarrantable distinction between the infractions of law and allegiance by individuals, and the infractions of law and allegiance by the commonwealth, or body politic denominated a State. Under the first head it held: That the Union was designed to be perpetual; that the Federal Government is invested with sovereign powers on special subjects, which can only be opposed or abrogated by revolution; that secession is unconstitutional, and is, therefore, neither more

[1] Slavery existed by virtue of express enactments in the several constitutions of the slave States, but the Constitution of the United States gave it only implied recognition and toleration.

[2] "It was with some surprise, I confess, that I read the message of the President. The message laid down certain conditions as those upon which alone the great Confederacy of the United States could be preserved from disruption. In so doing the President appeared to be preparing beforehand an apology for the secession. Had the conditions, indeed, been such as the Northern States would be likely to accept, the message might have been considered one of peace. But it seems very improbable that the Northern States should now, at the moment of their triumph, and with large majorities of Republicans in their assemblies, submit to conditions which, during many years of struggle, they have rejected or evaded."— Lord John Russell to Lord Lyons, December 26, 1860. British Blue Book.

nor less than revolution; that the Executive has no right to recognize the secession of a State; that the Constitution has established a perfect government in all its forms, legislative, executive, and judicial, and this government, to the extent of its powers, acts directly upon the individual citizen of every State and executes its own decrees by the agency of its own officers; and, finally, that the Executive cannot be absolved from his duty to execute the laws.

But, continued the President, the laws can only be executed in certain prescribed methods, through the agency of courts, marshals, *posse comitatus*, aided, if necessary, by the militia or land and naval forces. The means and agencies, therefore, fail, and the performance of this duty becomes impraticable, when, as in South Carolina, universal public sentiment has deprived him of courts, marshals, and *posse*. Present laws being inadequate to overcome a united opposition, even in a single State, Congress alone has the power to decide whether they can be effectually amended.[1]

[1] The logic of the message breaks down by the palpable omission to state the well-known fact that, though every citizen of South Carolina, or any other State, might refuse to accept or execute the office of United States marshal, or, indeed, any Federal office, the want could be immediately lawfully supplied by appointing any qualified citizen of any other State, who might lawfully and properly lead either a *posse*, or Federal forces, or State militia, to put down obstruction of the Federal laws, insurrection, or rebellion. President Buchanan admitted his own error, and repudiated his own doctrine, when on January 2, following, he nominated a citizen of Pennsylvania for the office of collector of the port of Charleston, South Carolina.

Sections two and three of the Act of February 28, 1795, authorize the President, when the execution of the laws is obstructed by insurrection too powerful for courts and marshals, to call forth the militia of any and all the States, first and primarily to "suppress such combinations," and, secondly, "to cause the

CH. XXII. It will be seen from the above summary, that the whole of the President's rambling discussion of the first head of the disunion question resulted logically in three ultimate conclusions: (1) That South Carolina was in revolt; (2) that the Constitution, the laws, and moral obligation all united gave the Government the right to suppress this revolt by executing the laws upon and against the citizens of that State; (3) that certain defects in the laws paralyzed their practical enforcement.

Up to this point in his argument, his opinions, whatever may be thought of their soundness, were confined to the legitimate field of executive interpretation, and such as in the exercise of his official discretion he might with undoubted propriety communicate to Congress. But he had apparently failed to satisfy his own conscience in thus summarily reasoning the executive and governmental power

laws to be duly executed; and the use of militia so to be called forth may be continued, if necessary, until the expiration of thirty days after the commencement of the then next session of Congress." In performing this duty the act imposes but a single condition or prerequisite on the Executive: he shall by proclamation command the insurgents to disperse. These sections are complete, harmonious, self-sufficient, and, in their chief provisions, nowise dependent upon or connected with any other section or clause of the act. They place under the President's command the whole militia, and by a subsequent law (March 3, 1807) also the entire army and navy of the Union, against rebellion. The assertion that the army can only follow a marshal and his writ in case of rebellion, is not only unsupported by the language of the act, but utterly refuted by strong implication. The last section repeals a former provision limiting the President's action to cases of insurrection of which United States judges shall have given him notice, and thereby remits him to any and all of his official sources of information. Jackson's famous force bill only provided certain supplementary details; it directly recognized and invoked the great powers of the Act of 1795, and expiring by limitation, left its wholesome plenitude and broad original grant of authority unrepealed and unimpaired.

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of a young, compact, vigorous, and thoroughly organized nation of thirty millions of people into sheer nothingness and impotence. How supremely absurd was the whole national panoply of commerce, credit, coinage, treaty power, judiciary, taxation, militia, army and navy, and Federal flag, if, through the mere joint of a defective law, the hollow reed of a secession ordinance could inflict a fatal wound! CH. XXII.

The President proceeds, therefore, to discuss the second head of the disunion question, by an attempt to formulate and define the powers and duties of Congress with reference to the threatened rebellion. He would not only roll the burden from his own shoulders upon the National Legislature, but he would by volunteer advice instruct that body how it must be borne and disposed of. Addressing Congress, he says in substance: "You may be called upon to decide the momentous question, whether you possess the power by force of arms to compel a State to remain in the Union. . . . The question, fairly stated, is: Has the Constitution delegated to Congress the power to coerce a State into submission which is attempting to withdraw, or has actually withdrawn, from the Confederacy? If answered in the affirmative, it must be on the principle that the power has been conferred upon Congress to declare and make war against a State. After much serious reflection I have arrived at the conclusion that no such power has been delegated to Congress, or to any other department of the Federal Government. . . It may be safely asserted that the power to make war against a State is at variance with the whole spirit

CH. XXII. and intent of the Constitution. . . But if we possessed this power, would it be wise to exercise it under existing circumstances? . . . Our Union rests upon public opinion, and can never be cemented by the blood of its citizens shed in civil war. . . Congress possesses many means of preserving it by conciliation; but the sword was not placed in their hand to preserve it by force."

Appendix, "Globe," Dec. 3, 1860, p. 3.

Why did the message thus leap at one bound without necessary connection or coherence from the discussion of executive to those of legislative powers? Why waste words over doubtful theories when there was pressing need to suggest practical amendments to the statute whose real or imaginary defects Mr. Buchanan had pointed out? Why indulge in lamentations over the remote possibility that Congress might violate the Constitution, when the occasion demanded only prompt preventive orders from the Executive to arrest the actual threatened violation of law by Charleston mobs? Why talk of war against States when the duty of the hour was the exercise of acknowledged authority against insurrectionary citizens?

The issue and argument were wholly false and irrelevant. No State had yet seceded. Execute such laws of the United States as were in acknowledged vigor, and disunion would be impossible. Buchanan needed only to do what he afterwards so truthfully asserted Lincoln had done.[1] But

[1] "Happily our civil war was undertaken and prosecuted in self-defense, not to coerce a State, but to enforce the execution of the laws within the States against individuals, and to suppress an unjust rebellion raised by a conspiracy among them against the Government of the United States."—Buchanan, in "Mr. Buchanan's Administration," p. 129.

through his inaction, and still more through his declared want of either power or right to act, disunion gained two important advantages — the influence of the Executive voice upon public opinion, and especially upon Congress; and the substantial pledge of the Administration that it would lay no straw in the path of peaceful, organized measures to bring about State secession.

The central dogma of the message, that while a State has no right to secede, the Union has no right to coerce, has been universally condemned as a paradox. The popular estimate of Mr. Buchanan's proposition and arguments was forcibly presented at the time by a jesting criticism attributed to Mr. Seward. "I think," said the New York Senator, "the President has conclusively proved two things: (1) That no State has the right to secede unless it wishes to; and (2) that it is the President's duty to enforce the laws unless somebody opposes him." No less damaging was the explanation put upon his language by his political friends. The recognized organ of the Administration said: "Mr. Buchanan has increased the displeasure of the Lincoln party by his repudiation of the coercion theory, and his firm refusal to permit a resort to force as a means of preventing the secession of a sovereign State." Nor were intelligent lookers-on in foreign lands less severe in their judgment: "Mr. Buchanan's message," said the London "Times," a month later, "has been a greater blow to the American people than all the rant of the Georgian Governor or the 'ordinances' of the Charleston Convention. The President has dissipated the idea that the States which elected him constitute one people."

Correspondence, N. Y. "Evening Post."

Washington "Constitution" of December 19, 1860.

London "Times," Jan. 9, 1861.

CHAPTER XXIII

THE CHARLESTON CONSPIRATORS

AS President Buchanan might have foreseen, his inconsistent message proved satisfactory to neither friend nor foe. The nation was on the eve of rebellion and had urgent need of remedial acts, not of temporizing theories, least of all theories which at the late Presidential election had been rejected as errors and dangers. The message served as a topic to initiate debate in Congress; but this debate, resting only on the main subject long enough to cover the Chief Magistrate's views and recommendations as a whole, with almost unanimous expressions of dissent, and even of contempt, passed on to words of mutual defiance and open declarations of revolutionary purpose.

The conspirators in the Cabinet had done their work. By the official declarations of the President of the United States, the Government had tied its own hands — had resolved and proclaimed the duty and policy of non-resistance to organized rebellion. Henceforth disunionists, secessionists, nullifiers, and conspirators of every kind had but to combine under alleged State action, and through the instrumentalities of State Legislatures and State conventions cast off without let or hinder-

ance their Federal obligations by resolves and ordinances. The semblance of a vote, a few scratches of the pen, a proclamation, and a new flag, and at once without the existence of a corporal's squad, or the smell of burnt powder, there would appear on the horizon of American politics, if not a *de jure* at least a *de facto* State! CH. XXIII.

If there had hitherto been any doubt or hesitation in the minds of the principal secession leaders of the South, it vanished under the declared policy of inaction of the Federal Administration. The President's message was a practical assurance of immunity from arrest and prosecution for treason. It magnified their grievances, specifically pointed out a contingent right and duty of revolution, acknowledged that mere public sentiment might override and nullify Federal laws, and pointedly bound up Federal authority in narrow legal and Constitutional restrictions. It was blind as a mole to find Federal power, but keen-eyed as a lynx to discover Federal impotence.

The leaders of secession were not slow to avail themselves of the favorable situation. Between the date of the message and the incoming of the new and possibly hostile Administration there intervened three full months. It was the season of political activity — the period during which legislatures meet, messages are written, and laws enacted. It afforded ample time to authorize, elect, and hold State conventions. Excitement was at fever heat in the South, and public sentiment paralyzed, despondent, and divided at the North.

Accordingly, as if by a common impulse, the secession movement sprang into quick activity and

CH. XXIII. united effort. Within two months the States of South Carolina, Mississippi, Florida, Alabama, Georgia, Louisiana, and Texas, in the order named, by formal ordinances of conventions, declared themselves separated from the Union. The recommendation of Yancey's "scarlet letter" had been literally carried out; the Cotton States were precipitated into revolution.

In this movement of secession the State of South Carolina was the enthusiastic pioneer. At the date of the President's message she had already provided by law for the machinery of a convention, though no delegates had been elected. Nevertheless, her Legislature at once plunged pell-mell into the task of making laws for the new condition of independent sovereignty which by common consent the convention was in a few days to declare. Questions of army and navy, postal communication, and foreign diplomacy, for the moment eclipsed the baser topics of estray laws or wolf-scalp bounties, and the little would-be Congress fully justified the reported sarcasm of one of her leading citizens that "the Palmetto State was too small for a republic and too large for a lunatic asylum."

But, with all their outward fire and zeal for nationality, her politicians were restrained by an under-current of prudence. A revolution even under exceptional advantages is a serious thing.

Therefore the agitators of South Carolina scanned the President's message with unconcealed eagerness. In that paradox of assertions and denials, of purposes to act and promises to refrain, they found much to assure them, but also something to cause doubt. "As I understand the

message of the President of the United States," explained Mr. Magrath to the South Carolina Convention, "he affirms it as his right, and constitutional duty, and high obligation to protect the property of the United States within the limits of South Carolina, and to enforce the laws of the Union within the limits of South Carolina. He says he has no constitutional power to coerce South Carolina, while at the same time he denies to her the right of secession. It may be, and I apprehend it will be, Mr. President, that the attempt to coerce South Carolina will be made under the pretense of protecting the property of the United States within the limits of South Carolina. I am disposed, therefore, at the very threshold to test the accuracy of this logic, and test the conclusions of the President of the United States."

Speech of Mr. Magrath in the South Carolina Convention, Dec. 19, 1860. "Annual Cyclopedia," 1861, p. 649.

President Buchanan had indeed declared in his message that the Constitution gave the Federal Government no power to coerce a State. He had further said that the laws gave him no authority to execute civil or criminal process or suppress an insurrection with the help of the militia, or the army and navy, "in a State where no judicial authority exists to issue process, and where there is no marshal to execute it, and where, even if there were such an officer, the entire population would constitute one solid combination to resist him."

"Mr. Buchanan's Administration," p. 126.

So far as mere political theories could go, this was certainly an important concession to the conspirators. In virtue of these doctrines, they could proceed, without danger to life and property, to hold conventions, pass secession ordinances, resign and refuse Federal offices, repudiate Northern

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debts, and effectively stop all Federal mails at the State line. But reading another passage in this paradoxical message of President Buchanan, they found these other propositions and purposes, involving a flat contradiction, and which with sufficient reason excited the apprehensions of Mr. Magrath and his fellow-conspirators. Said the message:

"The same insuperable obstacles do not lie in the way of executing the laws for the collection of the customs. The revenue still continues to be collected as heretofore at the custom-house in Charleston, and should the collector unfortunately resign, a successor may be appointed to perform this duty.

"Then in regard to the property of the United States in South Carolina. This has been purchased for a fair equivalent 'by the consent of the Legislature of the State,' 'for the erection of forts, magazines, arsenals,' etc., and over these the authority 'to exercise exclusive legislation' has been expressly granted by the Constitution to Congress. It is not believed that any attempt will be made to expel the United States from this property by force; but if in this I should prove to be mistaken, the officer in command of the forts has received orders to act strictly on the defensive. In such a contingency the responsibility for consequences would rightfully rest upon the heads of the assailants."

"Mr. Buchanan's Administration," p. 126.

It was, of course, in vain that Mr. Magrath and other South Carolina constitutional expounders protested against this absurd want of logic. It was in vain that they could demonstrate that pro-

tecting the property of the Union was but another name for coercion; that if the President could lawfully from another State appoint a successor to the Federal collector, he could in the same manner appoint a successor to the Federal judge, district attorney, and marshal; that if he could execute the revenue laws he could execute the steamboat laws, the postal laws, or the criminal laws; that if, with Federal bayonets, he could stop a mob at the door of the custom-house, he could do the same at the door of the court-room; that it would be no more offensive war to employ a regiment to protect a bonded warehouse than a jail; a shipping dock than a post-office; a dray-load of merchandise passing across a street than a mail car *in transitu* across a State; that coercing a Charleston belle to pay the custom duties on her silk gown, and a Palmetto orator to suffer the imposition of foreign tribute on his champagne was in fact destroying the whole splendid theory of exclusive State sovereignty.

It followed, therefore, that the issue was not one of constitutional theory, but of practical administration; not of legislation, but of war. The argument of the President's message was palpably illogical and ridiculous, but there in black and white stood his intention to collect the revenue and protect the public property; yonder in the bay were Pinckney, Moultrie, and Sumter; under the flag of the Union was a devoted band of troops and a brave officer, with orders to hold the fort.

For the present, then, the wall of Fort Moultrie was the iron collar around the neck of the coveted "sovereignty" of South Carolina. How to break

CH. XXIII. that fetter was the narrow, simple problem. A half-finished inclosure of brick walls, standing in the midst of sand-hills which gave commanding elevations, and buildings which effectually masked the approach of an assaulting column, and containing, all told, but sixty men to guard 1500 feet of rampart. The street rabble of Charleston could any night clamber over the thinly defended walls, and at least a score of companies of minute men, drilled and equipped, could be brought by rail from the interior of the State to garrison and hold it. But what then? That would bring Federal troops in Federal ships of war, and in a short, quick struggle the substantial standing preparations of the Government would overcome the extemporized preparations of the State, and the insurrection would be hopelessly quelled.

To prevent reënforcement was the vital point, and this had been clearly perceived and acted upon from the beginning. While the preparation of President Buchanan's message was yet under discussion the Cabinet cabal had earnestly deliberated upon the most effective intrigue to be employed to deter the President from sending additional troops to Charleston harbor. In pursuance of the scheme agreed upon by them in caucus, Trescott wrote a letter to Governor Gist suggesting that the Governor should write a letter "assuring the President that if no reënforcements were sent, there would be no attempt upon the forts before the meeting of the convention, and that then commissioners would be sent to negotiate all the points of difference; that their hands would be strengthened, the responsibility of provoking

Trescott's Narrative, Samuel Wylie Crawford, "Story of Sumter," pp. 28-30.

collision would be taken from the State, and the President would probably be relieved from the necessity of pursuing this policy." Governor Gist acted upon the suggestion and wrote, under date of November 29, back to Trescott (giving him liberty to show the letter to the President): CH. XXIII.

> Although South Carolina is determined to secede from the Federal Union very soon after her convention meets, yet the desire of her constituted authorities is, not to do anything that will bring on a collision before the ordinance of secession has been passed and notice has been given to the President of the fact; and not then, unless compelled to do so by the refusal of the President to recognize our right to secede, by attempting to interfere with our exports or imports, or by refusal to surrender the forts and arsenals in our limits. I have found great difficulty in restraining the people of Charleston from seizing the forts, and have only been able to restrain them by the assurance that no additional troops would be sent to the forts, or any munitions of war. . . If President Buchanan takes a course different from the one indicated and sends on a reënforcement, the responsibility will rest on him of lighting the torch of discord, which will only be quenched in blood.

Gist to Trescott, Nov. 29, 1860. Crawford, p. 31.

Mr. Trescott showed this letter to the President on the evening of Sunday, December 2, and while his narrative does not mention any expression by Mr. Buchanan of either approval or dissent, his subsequent acts show a tacit acquiescence in Governor Gist's propositions.

Trescott's Narrative, Crawford, pp. 34 (line 16) and 42 (lines 13–16).

There immediately followed by the leaders in Charleston, and their agents and spokesmen in Washington, the daily repetition of threats and complaints (thus originated by the latter), which were continued for nearly three and a half months. The purpose was twofold: first, by alternately ex-

CH. XXIII. citing the fears and hopes of the Government to induce it to withhold reënforcement as a prudential measure of magnanimity and conciliation; secondly, to make it a cloak to hide, as far as might be, their own preparations for war. Had the Federal Government been in a condition of normal health and vigor, the farce would not have been effective for even a single day; but, with capital alarmed, with parties divided into factions, with three traitors in the Cabinet, and a timid and vacillating Executive, by successive, almost imperceptible, degrees, the farce produced a policy and the policy led to an opening drama of civil war.

Leaving out of view anterior political doctrines and discussions, the first false step had been taken by the Administration in its doctrine of non-coercion, announced in the message; the second false step half logically resulting from the first, in its refusal on the first day of December to send Major Anderson the reënforcements he so urgently demanded. The Charlestonians clung to the concession with a tenacity which demonstrated their full appreciation of its value. Immediately there began to flow in upon Mr. Buchanan and his advisers, on the one hand magnified reports of the daily clamors of the Charleston mob, on the other hand encouraging intimations from the Charleston authorities that they, while adhering to their political heresies and demands, were yet averse to disorder and bloodshed, and to this end desired and invoked the utmost forbearance of the Government. Put in truthful language, their request would have been, "Help us keep the peace while we are preparing to break the law. Let the Govern-

ment send no ships, men or supplies to the forts, in order that we may without danger or collision build batteries to take them. Armament by the Federal sovereignty is war, armament by State authority is peace." And it will forever remain a marvel that a President of the United States consented to this certain process of national suicide. CH. XXIII

CHAPTER XXIV

MR. BUCHANAN'S TRUCE

CH. XXIV. THE concession yielded by Mr. Buchanan, instead of tending to conciliate the conspirators only brought upon him additional demands. It so happened that the principal Federal ships of war were absent from the harbors of the Atlantic coast on service in distant waters. But now, as a piece of good fortune amid many untoward occurrences, the steam sloop-of-war *Brooklyn*, a new and formidable vessel of twenty-five guns, which had been engaged in making preliminary surveys in the Chiriqui Lagoon to test the practicability of one of the proposed interoceanic ship canals, unexpectedly returned to the Norfolk navy yard on
1860. the 28th of November, less than a week before the meeting of Congress. She had until recently been under the command of Captain Farragut, afterwards famous in the war of the rebellion, and was, with trifling exceptions, ready for sea.

In the Cabinet, where the feasibility of collecting the customs revenue at Charleston on shipboard had already been discussed as a possible contingency, and especially where the forcible protection of the public property had also received serious consideration, this sudden appearance of

the *Brooklyn* must have furnished a conclusive reason in favor of both these propositions. Be this as it may, when the President affirmed these duties in his message, the conspirators realized that he held the means of practical enforcement at instantaneous command. With a ship of war ready at Norfolk, with troops at Fortress Monroe, might not a careless *émeute* at Charleston bring the much-dreaded reënforcements to Moultrie, Sumter, and Pinckney, precipitate a *dénouement*, and prematurely ruin all their well-concocted schemes? There was urgent need to prevent the sailing of the steamer on such an errand.

On Saturday, December 8, four of the Representatives in Congress from South Carolina requested an interview of President Buchanan, which he granted them, in which they rehearsed their well-studied prediction of a collision at Charleston. One of their number has related the substance of their address with graphic frankness:

Buchanan to Barnwell, Adams, and Orr, Dec. 31, 1860. W. R. Vol. I., p. 116.

"Mr. President, it is our solemn conviction that if you attempt to send a solitary soldier to these forts, the instant the intelligence reaches our people (and we shall take care that it does reach them, for we have sources of information in Washington so that no orders for troops can be issued without our getting information) these forts will be forcibly and immediately stormed.

"We all assured him that if an attempt was made to transport reënforcements, our people would take these forts, and that we would go home and help them to do it; for it would be suicidal folly for us to allow the forts to be manned. And we further said to him that a bloody result would

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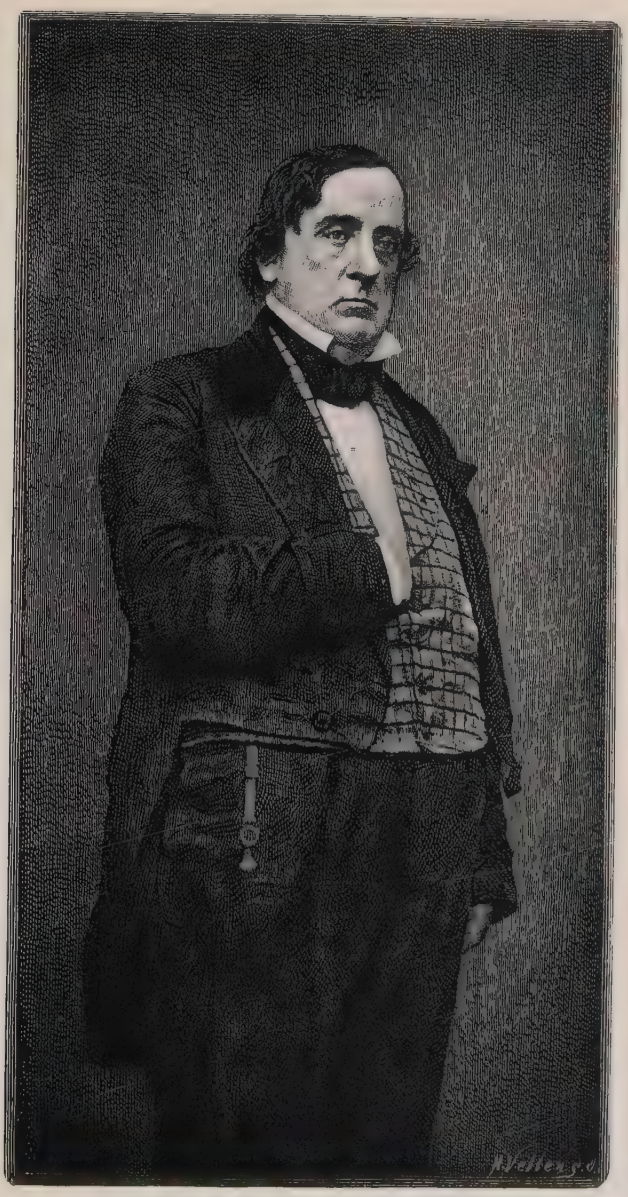
Hon. Wm. Porcher Miles, Statement before the South Carolina Convention, "Annual Cyclopedia," 1861, pp. 649–50.

follow the sending of troops to those forts, and that we did not believe that the authorities of South Carolina would do anything prior to the meeting of this convention, and that we hoped and believed that nothing would be done after this body met until we had demanded of the general Government the recession of these forts."

Here was an avowal to the President himself, not only of treason at Charleston, but of conspiracy in the Executive departments at Washington; a demand coupled with a menace; a proposal for a ten days' truce supplemented by a declaration of intention to proceed to extremities after its expiration. Instead of meeting these with a stern rebuke and dismissal, the President cowered and yielded to their demand. The sanctity of the Constitution, the majesty of the law, the power of the nation, the patriotism of the people, all faded from his bewildered vision; his irresolute will shrank from his declared purpose to protect the public property and enforce the revenue laws. He saw only the picture of strife and bloodshed which the glib tongues of his persecutors conjured up, and failed to detect the theatric purpose for which it was employed.

Buchanan to Commissioners, Dec. 31, 1860. W. R. Vol. I., p. 117.

He hastened to assure his visitors that it was his determination "not to reënforce the forts in the harbor, and thus produce a collision, until they had been actually attacked," or until he had "certain evidence that they were about to be attacked." Though this was only another concession, much like the first in outward semblance, it was nevertheless in its vital essence a fatal hurt to the rapidly shrinking Federal authority. The conspiracy had



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won the choice of position; when the combat should come it was in the attitude necessary to deal the first blow. CH. XXIV.

The main point secured, there was an exhibition of abundant diplomatic politeness between the parties. The President suggested that "for prudential reasons" it would be best to put in writing what they had said to him verbally. This they readily promised, and on Monday, the 10th, gave him, duly signed by five of the South Carolina Representatives, this important paper:

WASHINGTON, December 9, 1860.

In compliance with our statement to you yesterday, we now express to you our strong convictions that neither the constituted authorities nor any body of the people of the State of South Carolina will either attack or molest the United States forts in the harbor of Charleston previously to the action of the convention, and we hope and believe not until an offer has been made through an accredited representative to negotiate for an amicable arrangement of all matters between the State and Federal Government, provided that no reënforcements shall be sent into those forts, and their relative military status shall remain as at present.

W. R. Vol. I, p. 116.

When President Buchanan came to look at the explicit language of this document, he shrank from the definite programme to which it committed him. "I objected to the word 'provided,' as it might be construed into an agreement on my part which I never would make. They said nothing was further from their intention; they did not so understand it, and I should not so consider it." There followed mutual protestations that the whole transaction was voluntary, informal, and in the nature of a mediation; that neither party possessed any

Buchanan to Commissioners, Dec. 31, 1860. Ibid.

CH. XXIV. delegated authority or binding power. They were not frank enough to explain to one another that the true object of each was delay — of the President, "that time might be gained for reflection"; of the Members, that time might be gained for the unmolested meeting of the convention, for passing the ordinance of secession, for further organizing public sentiment, and pushing forward military preparations at Charleston.

The mask of official propriety worn over this pernicious intrigue, the disclaimers, the implications and mental reservations of which it was made up — all became absurd in view of the results it produced. The President, indeed, explains that it was no pledge or agreement. "But I acted," he naïvely admits, "in the same manner as I would have done had I entered into a positive and formal agreement with parties capable of contracting, although such an agreement would have been, on my part, from the nature of my official duties, impossible. The world knows that I have never sent any reënforcements to the forts in Charleston harbor, and I have certainly never authorized any change to be made in their 'relative military status.'"

Buchanan to Commissioners, Dec. 31, 1860. W. R. Vol. I., p. 117.

While the conspirators were thus taking effectual steps to bind the future acts of the Executive in respect to the forts in Charleston harbor, and to make sure that the rising insurrection in South Carolina should not be crippled or destroyed by any surprise or sudden movement emanating from Washington, they were not less watchful to counteract and prevent any possible hostile movement against them on the part of Major Anderson and his handful of officers and troops in Fort

Moultrie, undertaken on his own discretion. Their boast of secret sources of information in Washington, coupled with subsequent events, furnish presumptive evidence that Mr. Floyd, Secretary of War, though yet openly opposing disunion, was already in their confidence and councils, and was lending them such active coöperation as might be disguised or perhaps still excused to his own conscience as tending to avert collision and bloodshed.

Shortly before, or about the time of the truce we have described, Secretary Floyd sent an officer of the War Department to Fort Moultrie with special verbal instructions to Major Anderson, which were duly communicated, and the substance of them reduced to writing and delivered to that officer on the 11th of December, the day following the conclusion of the President's unofficial truce at Washington. The importance of this document renders it worthy of reproduction in complete form.

Memorandum of verbal instructions to Major Anderson, 1st Artillery, commanding at Fort Moultrie, South Carolina:

You are aware of the great anxiety of the Secretary of War that a collision of the troops with the people of this State shall be avoided, and of his studied determination to pursue a course with reference to the military force and forts in this harbor which shall guard against such a collision. He has, therefore, carefully abstained from increasing the force at this point, or taking any measures which might add to the present excited state of the public mind, or which would throw any doubt on the confidence he feels that South Carolina will not attempt by violence to obtain possession of the public works or interfere with their occupancy. But as the counsel and acts of rash and impulsive persons may possibly disap-

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point these expectations of the Government, he deems it proper that you shall be prepared with instructions to meet so unhappy a contingency. He has, therefore, directed me verbally to give you such instructions.

You are carefully to avoid every act which would needlessly tend to provoke aggression, and for that reason you are not, without evident and imminent necessity, to take up any position which could be construed into the assumption of a hostile attitude. But you are to hold possession of the forts in this harbor, and if attacked you are to defend yourself to the last extremity. The smallness of your force will not permit you, perhaps, to occupy more than one of the three forts, but an attack on or attempt to take possession of either one of them will be regarded as an act of hostility, and you may then put your command into either of them which you may deem most proper, to increase its power of resistance. You are also authorized to take similar defensive steps whenever you have tangible evidence of a design to proceed to a hostile act.

D. C. BUELL, Assistant Adjutant-General.

Buchanan to Commissioners, Dec. 31, 1860. W. R. Vol. I., p. 117.

FORT MOULTRIE, S. C., December 11, 1860.

This is in conformity to my instructions to Major Buell.

JOHN B. FLOYD, Secretary of War.

Upon mere superficial inspection these instructions disclosed only the then dominant anxiety of the Administration to prevent collision. But if we remember that they were sent to Major Anderson without the President's knowledge, and without the knowledge of General Scott,[1] and especially if we keep in sight the state of public sentiment of both Charleston and Washington and

[1] "The President has listened to him [General Scott] with due friendliness and respect, but the War Department has been little communicative. Up to this time he has not been shown the written instructions of Major Anderson, nor been informed of the purport of those more recently conveyed to Fort Moultrie verbally by Major Buell."—Gen. Scott (by G. W. Lay) to Twiggs, Dec. 28, 1860. W. R. Vol. I., p. 580.

the paramount official influences which had taken definite shape in the President's truce, we can easily read between the lines that they were most artfully contrived to lull suspicion while effectually restraining Major Anderson from any act or movement which might check or control the insurrectionary preparations. He must do nothing to provoke aggression; he must take no hostile attitude without evident and imminent necessity; he must not move his troops into Fort Sumter, unless it were attempted to attack or take possession of one of the forts or such a design were tangibly manifested. Practically, when the attempt to seize the vacant forts might come it would be too late to prevent it, and certainly too late to move his own force into either of them. Practically, too, any serious design of that nature would never be permitted to come to his knowledge. Supplement these literal negations and restrictions by the unrecorded verbal explanations and comments said to have been made by Major Buell, by his disapproval of the meager defensive preparations which had been made, such as his declaration that a few loop-holes "would have a tendency to irritate the people," and we can readily imagine how a faithful officer, whose reiterated calls for help had been refused, felt, that under such instructions, such surroundings, and such neglect "his hands were tied," and that he and his little command were a foredoomed sacrifice.[1]

Doubleday, "Forts Sumter and Moultrie," p. 51.

[1] In a Senate speech, January 10, 1861, "Globe," page 307, Jefferson Davis, commenting on these orders, while admitting that they empowered Major Anderson to go from one post to another, said, "Though his orders were not so designed, as I am assured."

CHAPTER XXV

THE RETIREMENT OF CASS

Ch. XXV. THUS far Mr. Buchanan's policy of conciliation through concession had brought him nothing but disappointment, and whatever faint hope his loyal Cabinet advisers may have had at the outset in its saving efficacy was by practical experiment utterly destroyed. The non-coercion doctrine had been adopted as early as November 20, in the Attorney-General's opinion of that date. The fact was rumored, not only in the political circles of the capital, but in the chief newspapers of the country; and the three secession members of the Cabinet had doubtless communicated it confidentially to all their prominent and influential confederates. Since that time South Carolina had continued her preparation for secession with unremitting industry; Mississippi had authorized a convention and appointed commissioners to visit all the slave States and propagate disunion, among them Mr. Thompson, Buchanan's Secretary of the Interior, who afterwards exercised this insurrectionary function while yet remaining in the Cabinet; the North Carolina Legislature had postponed the election of United States Senator; Florida had passed a convention bill; Georgia had

instituted legislative proceedings to bring about a conference of the Southern States at Atlanta; both houses of the National Congress had rung with secession speeches, while frequent caucuses of the conspirators took place at Washington.

Mr. Buchanan's truce with the South Carolina Representatives had as little effect in arresting the secession intrigues as his non-coercion doctrine officially announced in the annual message. On the evening of the day (December 8)[1] on which he received the South Carolina pledge, the Secretary of the Treasury, Howell Cobb, of Georgia, tendered his resignation, announcing in the same letter his intention to embark in the active work of disunion. It had been generally understood that the non-coercion theories of the message were adopted by the President in deference to the wishes and under the influence of Cobb, Thompson, and Floyd, and undoubtedly they had also been largely instrumental in bringing about the unofficial truce at Charleston. If, amid all his fears, Mr. Buchanan retained any sensibility, he must have been profoundly shocked at the cool dissimulation with which Mr. Cobb, everywhere recognized as a Cabinet officer of great ability, had assisted in committing the Administration to these fatal doctrines and measures, and then abandoned it in the moment of danger. "My withdrawal," he wrote to the President, "has not been occasioned by anything you have said or done. Whilst differing from your message upon some of its theoretical doctrines, as

[1] Cobb to Buchanan, "Washington Constitution," Dec. 12, 1860. The President's reply says: "I have received your communication of Saturday evening, resigning," etc.

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Cobb to Buchanan, "Washington Constitution," Dec. 12, 1860.

well as from the hope so earnestly expressed that the Union can be preserved, there was no practical result likely to follow which required me to retire from your Administration. That necessity is created by what I feel it my duty to do; and the responsibility of the act, therefore, rests alone upon myself." Ignoring the fact that the Treasury was prosperous and solvent when he took charge of it, and that at the moment of his leaving it could not pay its drafts, Mr. Cobb, five days later, published a long and inflammatory address to the people of Georgia, concluding with this exhortation: "I entertain no doubt either of your right or duty to secede from the Union. Arouse, then, all your manhood for the great work before you, and be prepared on that day to announce and maintain your independence out of the Union, for you will never again have equality and justice in it."

The President had scarcely found a successor for Mr. Cobb when the head of his Cabinet, Lewis Cass, Secretary of State, tendered his resignation also, and retired from the Administration. Mr. Cass had held many offices of distinction, had attained high rank as a Democratic leader, and had once been a Presidential candidate. His resignation was, therefore, an event of great significance from a political point of view. The incident brings into bold relief the mental reservations under which Buchanan's paradoxical theories had been concurred in by his Cabinet. A private memorandum, in Mr. Buchanan's handwriting, commenting on the event, makes the following emphatic statement: "His resignation was the more remarkable on account of the cause he assigned for it. When

my late message (of December, 1860) was read to the Cabinet before it was printed, General Cass expressed his unreserved and hearty approbation of it, accompanied by every sign of deep and sincere feeling. He had but one objection to it, and this was, that it was not sufficiently strong against the power of Congress to make war upon a State for the purpose of compelling her to remain in the Union; and the denial of this power was made more emphatic and distinct upon his own suggestion." CH. XXV.

G. T. Curtis, "Life of James Buchanan." Vol. II., p. 399.

But this position was probably qualified and counterbalanced in his mind by the President's direct promise that he would collect the Federal revenue and protect the Federal property. In the nature of things the execution of this policy must not only precede but exclude all other theories and abstractions, and the Secretary of State probably waited in good faith to see the President "execute the laws." Little by little, however, delay and concession rendered this impossible. The collector at Charleston still nominally exercised his functions as a Federal officer; but it was an open secret among the Charleston authorities, and one which must also by this time have become known to the Government at Washington, that he was only holding the place in trust for the coming secession convention. As to protecting the Federal property, the refusal to send Anderson troops, the President's truce, the gradual development of Mr. Buchanan's irresolution and lack of courage, and finally Mr. Cobb's open defection must have convinced Mr. Cass that, under existing determinations, orders, and influences, it was a hopeless prospect.

See proceedings of convention in "Charleston Courier," Dec., 1860.

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Floyd's Richmond Speech, N. Y. "Herald," Jan. 17, 1861, p. 2.

The whole question seems to have been finally decided in a long and stormy Cabinet session held on December 13. The events of the few preceding days had evidently shaken the President's confidence in his own policy. He startled his dissembling and conspiring Secretary of War with the sudden questions, "Mr. Floyd, are you going to send recruits to Charleston to strengthen the forts?" "Don't you intend to strengthen the forts at Charleston?" The apparent change of policy alarmed the Secretary, but he replied promptly that he did not. "Mr. Floyd," continued Mr. Buchanan, "I would rather be in the bottom of the Potomac to-morrow than that these forts in Charleston should fall into the hands of those who intend to take them. It will destroy me, sir, and, Mr. Floyd, if that thing occurs it will cover your name with an infamy that all time can never efface, because it is in vain that you will attempt to show that you have not some complicity in handing over those forts to those who take them."

The wily Secretary replied, "I will risk my reputation, I will trust my life that the forts are safe under the declarations of the gentlemen of Charleston." "That is all very well," replied the President, "but does that secure the forts?" "No, sir; but it is a guaranty that I am in earnest," said Floyd. "I am not satisfied," said the President.

Thereupon the Secretary made the never-failing appeal to the fears and timidity of Mr. Buchanan. He has himself reported the language he used: "I am sorry for it," said he; "you are President, it is for you to order. You have the right to order and I will consider your orders when made. But I

would be recreant to you if I did not tell you that this policy of garrisoning the forts will lead to certain conflicts; it is the inauguration of civil war, and the beginning of the effusion of blood. If it is a question of property, why not put an ordnance sergeant into them — a man who wears worsted epaulets on his shoulders and stripes down his pantaloons — as the representative of the property of the United States. That will be enough to secure the forts. If it is a question of property, he represents it,[1] and let us wait until the issue is made by South Carolina. She will go out of the Union and send her commissioners here. Up to that point the action is insignificant. Action after this demands the attention of the great council of the nation. Let us submit the question to Congress — it is for Congress to deal with the matter."

This crafty appeal to the President's hesitating inclinations, and in accord with his policy hitherto pursued, was seconded by the active persuasions of the leading conspirators of Congress whom Floyd promptly called to his assistance. "I called for help from that bright Saladin of the South, Jefferson Davis, of Mississippi — and I said, 'Come to my rescue; the battle is a little more than my weak heart can support. Come to me;' and he came. Then came that old jovial-looking, noble-hearted

[1] Jefferson Davis in his "Rise and Fall of the Confederate Government," Vol. I., page 215, also lays claim to this artful suggestion:

"The President's objection to this was, that it was his bounden duty to preserve and protect the property of the United States. To this I replied, with all the earnestness the occasion demanded, that I would pledge my life that, if an inventory were taken of all the stores and munitions in the fort, and an ordnance sergeant with a few men left in charge of them, they would not be disturbed."

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representative from Virginia, James M. Mason. Here came that anomaly of modern times, the youthful Nestor, here came Hunter. . . From the north, the south, the east, and the west there came up the patriots of the country, the champions of constitutional liberty, and they talked with the President of the United States, and they quieted his fears and assured him in the line of duty. They said, 'Let there be no force'; and the President said to me, 'I am content with your policy'; and then it was that we determined that we would send no more troops to the harbor in Charleston."

Floyd's Richmond Speech, N. Y. "Herald," Jan. 17, 1861, p. 2.

Strip this statement of its oratorical exaggeration, and the reader can nevertheless see, in the light of after occurrences, a vivid and truthful picture of a conspiring cabal, stooping to arts and devices difficult to distinguish from direct personal treachery, flattering, threatening, and coaxing by turns, and finally lulling the fears of the President, through his vain hope that they would help him tide over a magnified danger, and shift upon Congress a responsibility he had not the courage to meet.

Mr. Cass, however, could no longer be quieted. Through all the rhetoric, sophistry, and bluster of the conspirators he saw the diminishing resources of the Government and the rising power of the insurrection. With a last bold effort to rouse the President from his lethargy, he demanded, in the Cabinet meeting of the 13th, that the forts should be strengthened. But he was powerless to break the spell. Says Floyd: "The President said to him in reply, with a beautiful countenance and with a heroic decision that I shall never forget, in the

council chamber, 'I have considered this question. I am sorry to differ from the Secretary of State; I have made up my mind. The interests of the country do not demand a reënforcement of the forces in Charleston. I cannot do it — and I take the responsibility of it upon myself.'" CH. XXV.

The letters which were exchanged between the President and his premier set out the differences between them with the same distinctness. Mr. Cass, after premising that he concurred with the general principles laid down in the message, says:

In some points which I deem of vital importance, it has been my misfortune to differ from you. It has been my decided opinion, which for some time past I have urged at various meetings of the Cabinet, that additional troops should be sent to reënforce the forts in the harbor of Charleston, with a view to their better defense, should they be attacked, and that an armed vessel should likewise be ordered there, to aid, if necessary, in the defense, and also, should it be required, in the collection of the revenue; and it is yet my opinion that these measures should be adopted without the least delay. I have likewise urged the expediency of immediately removing the custom-house at Charleston to one of the forts in the port, and of making arrangements for the collection of the duties there, by having a collector and other officers ready to act when necessary, so that when the office may become vacant the proper authority may be there to collect the duties on the part of the United States. I continue to think that these arrangements should be immediately made. While the right and the responsibility of deciding belong to you, it is very desirable that at this perilous juncture there should be, as far as possible, unanimity in your councils, with a view to safe and efficient action.

Cass to Buchanan, Dec. 12, 1860. Curtis, "Life of Buchanan," Vol. II., p. 397.

To this statement the President replied:

The question on which we unfortunately differ is that of ordering a detachment of the army and navy to

CH. XXV. Charleston, and is correctly stated in your letter of resignation. I do not intend to argue this question. Suffice it to say that your remarks upon the subject were heard by myself and the Cabinet, with all the respect due to your high position, your long experience, and your unblemished character; but they failed to convince us of the necessity and propriety, under existing circumstances, of adopting such a measure. The Secretaries of War and of the Navy, through whom the orders must have issued to reenforce the forts, did not concur in your views; and whilst the whole responsibility for the refusal rested upon myself, they were the members of the Cabinet more directly interested. You may have judged correctly on this important question, and your opinion is entitled to grave consideration; but under my convictions of duty, and believing as I do that no present necessity exists for a resort to force for the protection of the public property, it was impossible for me to have risked a collision of arms in the harbor of Charleston, and thereby defeated the reasonable hope which I cherish of the final triumph of the Constitution and of the Union.

Buchanan to Cass, Dec. 15, 1860. Curtis, "Life of Buchanan," Vol. II., p. 398.

The other Union members of the Cabinet received the rumor of Mr. Cass's resignation with gloomy apprehensions. Postmaster-General Holt, with whom by reason of their kindred opinions he had been on intimate terms, hastened to him to learn whether it were indeed true and whether his determination were irrevocable. Cass confirmed the report, saying that representing the Northern and loyal constituency which he did, he could no longer without dishonor to himself and to them remain in such treasonable surroundings. Holt endeavored to persuade him that under the circumstances it was all the more necessary that the loyal members of the Cabinet should remain at their posts, in order to prevent the country's passing into the hands of the secessionists by mere

Holt, conversation with J. G. N., 1874.

default. But Cass replied, No; that the public feeling and sentiment of his section would not tolerate such a policy on his part. "For you," he said, "coming from a border State, where a modified, perhaps a divided, public sentiment exists, that is not only a possible course, but it is a true one; it is your duty to remain, to sustain the Executive and counteract the plots of the traitors. But my duty is otherwise; I must adhere to my resignation." CH. XXV.

In this honorable close of a long public career, General Cass gave evidence of the spirit which was to actuate many patriotic Democrats when the final ordeal came. It was to be regretted that he had not taken issue with his chief when his paradoxical message was read to the Cabinet, but much is to be allowed to the inertness of a man in his seventy-ninth year. Life-long placeman and unflinching partisan that he was, there was still so much of patriotic conscience in him that he could not stand by and see premeditated dishonor done to the flag he had followed in his youth and as Jackson's Secretary of War upheld in his maturer years. If Mr. Buchanan had been capable of amendment, he might have learned a salutary lesson from the manner in which this veteran politician ended his half century of public service.

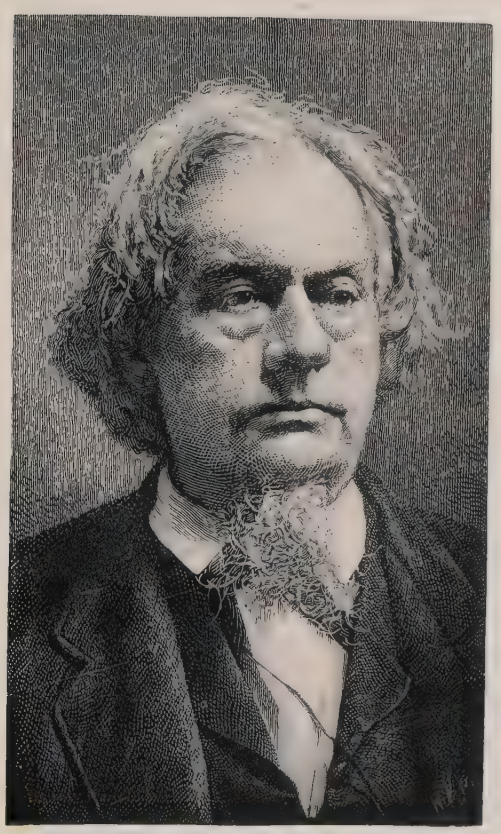
CHAPTER XXVI

THE SENATE COMMITTEE OF THIRTEEN

CH. XXVI. THE President's message provoked immediate and heated controversy in Congress. In the Senate the battle was begun by the radical secessionists, who at once avowed their main plans and purposes. Mr. Clingman, of North Carolina, opening the debate, predicted that the same political organization which had elected Lincoln must soon control the entire Government, and being guided by a sentiment hostile to the Southern States would change the whole character of the Government without abolishing its forms. A number of States would secede within the next sixty days.

Mr. Brown, of Mississippi, said the accumulating wrongs of years had finally culminated in the triumph of principles to which they could not and would not submit. All they asked was to be allowed to depart in peace.

Mr. Iverson, of Georgia, invoking not only secession, but revolution and assassination, announced specifically the hopes of the conspirators. "I am satisfied that South Carolina will resolve herself into a separate sovereign and independent State before the Ides of January; that Florida and Mississippi, whose conventions are soon to meet, will



GENERAL ROBERT TOOMBS.

follow the example of South Carolina, and that Alabama . . . will go out of the Union on the 7th of January. Then the Georgia Convention follows on the 16th of that month; and if these other surrounding sisters shall take the step, Georgia will not be behind. . . I speak what I believe on this floor, that before the 4th of March five of the Southern States at least will have declared their independence; and I am satisfied that three others of the Cotton States will follow as soon as the action of the people can be had. Arkansas, whose Legislature is now in session, will in all probability call a convention at an early day. Louisiana will follow. Her Legislature is to meet; and although there is a clog in the way of the lone star State of Texas, in the person of her Governor, . . . if he does not yield to public sentiment, some Texan Brutus will arise to rid his country of the hoary-headed incubus that stands between the people and their sovereign will. We intend, Mr. President, to go out peaceably if we can, forcibly if we must."

"Globe," Dec. 5, 1860, p. 11.

Senator Wigfall, of Texas, took a high revolutionary attitude. "We simply say that a man who is distasteful to us has been elected and we choose to consider that as a sufficient ground for leaving the Union." He said he should "introduce a resolution at an early moment to ascertain what are the orders that have gone from the War Department to the officers in command of those forts" at Charleston. If the people of South Carolina believed that this Government would hold those forts, and collect the revenues from them, after they had ceased to be one of the States of this Union, his judgment

CH. XXVI. was that the moment they became satisfied of that fact they would take the forts, and blood would then begin to flow.

"Globe," Dec. 5, 1860, p. 14.

Mr. Mason, of Virginia, said he looked upon the evil as a war of sentiment and opinion by one form of society against another form of society. The remedy rested in the political society and State councils of the several States and not in Congress. His State and a great many others of the slave-holding States were going into convention with a view to take up the subject for themselves, and as separate sovereign communities to determine what was best for their safety.

Ibid., Dec. 10, 1860, p. 35.

Senator Jefferson Davis, of Mississippi, was more reticent and politic, though no less positive and significant in his brief expressions. As a Senator of the United States he said he was there to perform his functions as such; that before a declaration of war was made against the State of which he was a citizen he expected to be out of the Chamber; that when that declaration was made his State would be found ready and quite willing to meet it.

Ibid., Dec. 5, 1860, p. 12.

The Republican Senators maintained for the greater part a discreet silence. To exult in their triumph would be undignified; to hasten forward officiously with offers of pacification or submission, and barter away the substantial fruits of their victory, would not only make them appear pusillanimous in the eyes of their own party, but bring down upon them the increased contempt of their assailants. There remained therefore nothing but silence and the feeble hope that this first fury of the disunion onset might spend itself in angry

words, and be followed by calmer counsels. Never- CH. XXVI.
theless, it was difficult to keep entirely still under the irritating provocation. On the third day of the session, Senator Hale, of New Hampshire, replied to both the President's message and Clingman's speech. Mr. Hale thought "this state of affairs looks to one of two things; it looks to absolute submission, not on the part of our Southern friends and the Southern States but of the North — to the abandonment of their position; it looks to a surrender of that popular sentiment which has been uttered through the constituted forms of the ballot-box; or it looks to open war. We need not shut our eyes to the fact. It means war, and it means nothing else; and the State which has put herself in the attitude of secession so looks upon it. . . If it is preannounced and determined that the voice of the majority expressed through the regular and constituted forms of the Constitution will not be submitted to, then, sir, this is not a Union of equals; it is a Union of a dictatorial oligarchy on the one side, and a herd of slaves and cowards on the other. That is it, sir; nothing more, nothing less." "Globe," Dec. 5, 1860, p. 9.

While the Southern Democratic party and the Republican party thus drifted into defiant attitudes the other two parties to the late Presidential contest naturally fell into the rôle of peacemakers. In this work they were somewhat embarrassed by their party record, for they had joined loudly in the current charge of "abolitionism" against the people of the North, and especially against the Republican party. Nevertheless, they not only came forward to tender the olive branch, and to deprecate and

CH. XXVI. rebuke the threats and extreme measures of the disunionists, but even went so far as to deny and disapprove the staple complaints of the conspirators.

It must be remembered to the lasting honor of Senator Crittenden that at the very outset of the discussion he repudiated the absurd theory of non-coercion. "I do not agree that there is no power in the President to preserve the Union; I will say that now. If we have a Union at all, and if, as the President thinks, there is no right to secede on the part of any State (and I agree with him in that), I think there is a right to employ our power to preserve the Union."

"Globe," Dec. 4, 1860, p. 5.

Senator Pugh, of Ohio, saying that he lived on the border of the slave-holding and non-slave-holding States, contended that the fugitive-slave law was executed every day, or nearly every day. It was in constant operation. He would venture to say that the slave States had not lost $100,000 worth of slave property since they had been in the Union, through negligence or refusal to execute it.

Ibid., Dec. 11, 1860, pp. 51, 52.

Senator Douglas, of Illinois, said he supposed the fugitive-slave law was enforced with quite as much fidelity as that in regard to the African slave trade or the laws on many other subjects. "It so happens that there is the greatest excitement upon this question just in proportion as you recede from the line between the free and the slave States. . . If you go North, up into Vermont where they scarcely ever see a slave and would not know how he looked, they are disturbed by the wrongs of the poor slave just in proportion as they are ignorant of the South. When you get down South, into

Georgia and Alabama, where they never lose any slaves, they are disturbed by the outrages and losses under the non-fulfillment of the fugitive-slave law just in proportion as they have no interest in it, and do not know what they are talking about."

"Globe," Dec. 11, 1860, p. 52.

Meanwhile, Senator Powell, of Kentucky, having given notice on the 5th, had on the 6th of December introduced a resolution to raise a special committee (afterwards known as the Senate Committee of Thirteen) to concert measures of compromise or pacification, either through legislation or Constitutional amendments. He said, however, he did not believe any legislation would be a remedy. Unequivocal constitutional guarantees upon the points indicated in the resolution under consideration were in his judgment the only remedies that would reach and eradicate the disease, give permanent security, and restore fraternal feeling between the people, North and South, and save the Union from speedy dissolution. "Let us never despair of the republic, but go to work promptly and so amend the Constitution as to give certain and full guarantees to the rights of every citizen, in every State and Territory of the Union."

Ibid., Dec. 10, 1860, p. 24.

The Republicans on this resolution generally offered only verbal criticisms or expressed their full approbation of its provisions. Senator King, of New York, offering an amendment, explained that while we hear occasionally of a mob destroying property, we also hear occasionally of a mob which assails an individual. He thought the security of person as important as that of property, and would therefore extend the inquiry to all these objects, if

CH. XXVI. made at all. Senator Collamer, of Vermont, suggested striking out all about the condition of the country and the rights of property, and simply referring that part of the message which relates to the state of the Union to a special committee. Senator Foster, of Connecticut, said if there was a disposition here to promote the peace and harmony of the country, the resolution was a most appropriate one under which to make the effort. Senator Hale, of New Hampshire, said he was willing to meet any and everybody and say that if there can be pointed out anything in which the State that he represented had come short of her whole constitutional duty in letter and in spirit, she will do what she never did in the face of an enemy, and that is take a backward step. She was ready to perform her whole constitutional duty, and to stand there.

"Globe," Dec. 10, 1860, p. 25.

Ibid.

Ibid., p. 28.

Ibid., p. 34.

Senator Green, of Missouri, while he joined in the general cry of Northern antislavery aggression and neglect of constitutional obligations, deemed it his duty to assist in making a united effort to save the Union. If he believed the present state of public sentiment of the North was to be enduring, he would say it is folly to talk about patching up the Union; but he looked forward to a reaction of public sentiment. Amendments to the Constitution, legal enactments, or repeal of personal liberty laws are not worth a straw unless the popular sentiment or the strong arm of the Government goes with them. He proposed to employ adequate physical force to maintain existing constitutional rights. He did not want any additional constitutional rights. He offered a resolution to inquire into the propriety of providing by law for estab-

lishing an armed police force, upon all necessary points along the line separating the slave-holding States from the non-slave-holding States, for the purpose of maintaining the general peace between those States; of preventing the invasion of one State by the citizens of another, and also for the efficient execution of the fugitive-slave law. CH. XXVI. "Globe," Dec. 10, 1860, pp. 25, 26.

Senator Jefferson Davis, of Mississippi, denounced this proposition as a quack nostrum. He feared it was to rear a monster which would break the feeble chain provided, and destroy the rights it was intended to guard. Establishing military posts along the borders of States conferred a power upon this Federal Government, which it does not now possess, to coerce a State; it was providing, under the name of Union, to carry on war against States. From the history and nature of our government no power of coercion exists in it. Ibid., pp. 28–30.

Senator Brown, also of Mississippi, was no less emphatic in his condemnation of the scheme. He said, that a Southern Senator representing a State as much exposed as Missouri should deliberately, in times like these, propose to arm the Federal Government for the purpose of protecting the frontier, to establish military posts all along the line, struck him with astonishment. He saw in this proposition the germ of a military despotism. He did not know what was to become of these armies, or what was to be done with these military posts. He feared in the hands of the enemy they might be turned against the South; they would hardly ever be turned against the North. Ibid., p. 33.

Senator Green, in his reply, justly exposed the whole animus and thinly concealed import of these

CH. XXVI. rough criticisms, by retorting that, to call that a military despotism amounts to just this: we are going out of the Union, right or wrong, and we will misrepresent every proposition made to save the Union. Who has fought the battles of the South for the last twenty-five years, and borne the brunt of the difficulty upon the border? Missouri, Kentucky, Virginia, and Maryland, while Mississippi and Louisiana have been secure; and while you have lost but one boxed-up negro, sent on board a vessel, that I remember, we have lost thousands and thousands. He knew it was unpopular in some sections to say a word for the Union. He hoped that feeling would react. Means to enforce and carry out the Constitution ought not to be ridiculed by calling it a quack remedy.

"Globe," Dec. 10, 1860, pp. 30, 31.

It is more likely that we may find in the response of Senator Iverson, of Georgia, the true reason which actuated the Cotton-State leaders in driving their people into revolution, regardless of the remonstrances of the border States.

> Sir, the border slave States of this Union complain of the Cotton States for the movement which is now in progress. They say that we have no right to take them out of the Union against their will. I want to know what right they have to keep us in the Union against our will. If we want to go out let us go. If they want to stay let them stay. They are sovereign and independent States, and have a right to decide these questions for themselves. For one, I shall not complain when, where, or how they go. I am satisfied, however, that they will go, when the time comes for them to decide. But, sir, they complain of us that we make so much noise and confusion on the subject of fugitive slaves, when we are not affected by the vitiated public sentiment of the Northern States. They say that we do not lose fugitive slaves; but they

suffer the burden. We heard that yesterday. I know that we do not suffer in this respect; it is not the want of good faith in the Northern people, so far as the reclamation of fugitive slaves is concerned, that is causing the Southern States around the Gulf of Mexico and the Southern Atlantic coast to move in this great revolution now progressing. Sir, we look infinitely beyond this petty loss of a few negroes. We know what is coming in this Union. It is universal emancipation and the turning loose upon society in the Southern States of the mass of corruption which will be made by emancipation. We intend to avoid it if we can. These border States can get along without slavery. Their soil and climate are appropriate to white labor; they can live and flourish without African slavery; but the Cotton States cannot. We are obliged to have African slavery to cultivate our cotton, our rice, and our sugar fields. African slavery is essential not only to our prosperity, but to our existence as a people. . .

I understand one of the motives which influence the tardy action of these two States [Virginia and Maryland]. They are a little afraid of the opening of the African slave trade, and the cheapening of negroes. Now, sir, while I state here that I am opposed to the opening of the African slave-trade, because our negroes will increase fast enough, God knows, for our interest and protection and security; and while I believe that the great masses of the Southern people are opposed to it, yet I will not stand security that if the Cotton States alone form a confederacy they will not open the African slave-trade; and then what will become of the great monopoly of the negro market which Virginia and Maryland and North Carolina now possess?

"Globe," Dec. 11, 1860, pp. 49–51.

The disunion Senators, while indulging in the violent and uncompromising language already quoted, had nevertheless here and there interjected phrases indicating a willingness to come to an understanding and adjustment, but their object in this seemed to be twofold: for a few

CH. XXVI. days longer it would serve as a partial screen to their more active conspiracy, and in the possible event (which they evidently did not expect) of a complete surrender and abdication of their political victory by the Republican party, it would leave them in the advantageous condition of accepting triumph as a fruit of compromise.

Thus, Senator Clingman said, "If gentlemen on the other side have anything to propose of a decisive and satisfactory character, I have no doubt the section from which I come would be willing to hear it." Senator Davis said, "If we are mistaken as to your feelings and purposes, give a substantial proof, that here may begin that circle which hence may spread out and cover the whole land with proofs of fraternity, of a reaction in public sentiment, and the assurance of a future career in conformity with the principles and purposes of the Constitution." Senator Brown said he never intimated they would not listen to appeals; he never said this case could not be adjusted; but he said there was no disposition on the Republican side to do it. Senator Wigfall said, "What is the use of our discussing on this side of the Chamber what we would be satisfied with when nothing has been offered us?"

"Globe," Dec. 4, 1860, p. 4.

Ibid., Dec. 10, 1860, p. 29.

Ibid., p. 34.

Ibid., Dec. 12, 1860, p. 72.

It requires a minute search to find these scattered words of moderation in the torrent of defiance which characterized the speeches of the extreme disunionists during the first ten days of the session of Congress, and indications were not lacking that even these were wholly insincere, and meant only to mislead their opponents and the public. Strong proof of this is found in the care-

ful speech of Senator Jefferson Davis, in which he lays down the issue without reserve, at the same time dealing in such vague and intangible complaints as showed intention and desire to remain unanswered and unsatisfied. He said he believed the danger to be that a sectional hostility had been substituted for the general fraternity, and thus the Government rendered powerless for the ends for which it was instituted. CH. XXVI.

The hearts of a portion of the people have been perverted by that hostility, so that the powers delegated by the compact of union are regarded not as means to secure the welfare of all, but as instruments for the destruction of a part—the minority section. How, then, have we to provide a remedy? By strengthening this Government? By instituting physical force to overawe the States, to coerce the people living under them as members of sovereign communities to pass under the yoke of the Federal Government? . . .

Then where is the remedy, the question may be asked. In the hearts of the people is the ready reply; and therefore it is that I turn to the other side of the Chamber, to the majority section, to the section in which have been committed the acts that now threaten the dissolution of the Union. . . These are offenses such as no people can bear; and the remedy for these is in the patriotism and the affection of the people, if it exists; and if it does not exist, it is far better, instead of attempting to preserve a forced and therefore fruitless union, that we should peacefully part, and each pursue his separate course. . . States in their sovereign capacity have now resolved to judge of the infractions of the Federal compact and of the mode and measure of redress. . . I would not give the parchment on which the bill would be written which is to secure our constitutional rights within the limits of a State where the people are all opposed to the execution of that law. It is a truism in free governments that laws rest upon public opinion, and fall powerless before its determined opposition. "Globe," Dec. 10, 1860, p. 29.

CH. XXVI. To all that had so far been said, Senator Wade, of Ohio, made, on the 17th day of December, a frank and direct as well as strong and eloquent reply, which was at once generally accepted by the Republican party of the Senate and the country as their well-considered and unalterable position on the crisis. Said he:

I have already said that these gentlemen who make these complaints have for a long series of years had this Government in their own keeping. They belong to the dominant majority. . . Therefore, if there is anything in the legislation of the Federal Government that is not right, you and not we are responsible for it. . . You have had the legislative power of the country, and you have had the executive of the country, as I have said already. You own the Cabinet, you own the Senate, and I may add, you own the President of the United States, as much as you own the servant upon your own plantation. I cannot see then very clearly why it is that Southern men can rise here and complain of the action of this Government. . . Are we the setters forth of any new doctrines under the Constitution of the United States? I tell you nay. There is no principle held to-day by this great Republican party that has not had the sanction of your Government in every department for more than seventy years. You have changed your opinions. We stand where we used to stand. That is the only difference. . . Sir, we stand where Washington stood, where Jefferson stood, where Madison stood, where Monroe stood. We stand where Adams and Jackson and even Polk stood. That revered statesman, Henry Clay, of blessed memory, with his dying breath asserted the doctrine that we hold to-day. . . As to compromises, I had supposed that we were all agreed that the day of compromises was at an end. The most solemn compromises we have ever made have been violated without a *whereas*. Since I have had a seat in this body, one of considerable antiquity, that had stood for more than thirty years, was swept away from your statute books. . . We nominated our candidates for President and Vice-President, and you

did the same for yourselves. The issue was made up and we went to the people upon it; . . . and we beat you upon the plainest and most palpable issue that ever was presented to the American people, and one that they understood the best. There is no mistaking it; and now when we come to the capitol, I tell you that our President and our Vice-President must be inaugurated and administer the government as all their predecessors have done. Sir, it would be humiliating and dishonorable to us if we were to listen to a compromise [only] by which he who has the verdict of the people in his pocket should make his way to the Presidential chair. When it comes to that you have no government. . . If a State secedes, although we will not make war upon her, we cannot recognize her right to be out of the Union, and she is not out until she gains the consent of the Union itself; and the chief magistrate of the nation, be he who he may, will find under the Constitution of the United States that it is his sworn duty to execute the law in every part and parcel of this Government; that he cannot be released from that obligation. . . Therefore, it will be incumbent on the chief magistrate to proceed to collect the revenue of ships entering their ports precisely in the same way and to the same extent that he does now in every other State of the Union. We cannot release him from that obligation. The Constitution in thunder tones demands that he shall do it alike in the ports of every State. What follows? Why, sir, if he shuts up the ports of entry so that a ship cannot discharge her cargo there, or get papers for another voyage, then ships will cease to trade; or, if he undertakes to blockade her, and thus collect it, she has not gained her independence by secession. What must she do? If she is contented to live in this equivocal state, all would be well perhaps; but she could not live there. No people in the world could live in that condition. What will they do? They must take the initiative and declare war upon the United States; and the moment that they levy war, force must be met by force; and they must, therefore, hew out their independence by violence and war. There is no other way under the Constitution, that I know of, whereby a chief magistrate of any politics could be released from this duty. If this

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State, though seceding, should declare war against the United States, I do not suppose there is a lawyer in this body but what would say that the act of levying war is treason against the United States. That is where it results. We might just as well look the matter right in the face. . .

I say, sir, I stand by the Union of these States. Washington and his compatriots fought for that good old flag. It shall never be hauled down, but shall be the glory of the Government to which I belong, as long as my life shall continue. . . It is my inheritance. It was my protector in infancy, and the pride and glory of my riper years; and although it may be assailed by traitors on every side, by the grace of God, under its shadow I will die.

"Globe," Dec. 17, 1860, pp. 100-104.

The Senate Committee of Thirteen was duly appointed on December 20 as follows: Lazarus W. Powell and John J. Crittenden, of Kentucky; R. M. T. Hunter, of Virginia; Wm. H. Seward, of New York; Robert Toombs, of Georgia; Stephen A. Douglas, of Illinois; Jacob Collamer, of Vermont; Jefferson Davis, of Mississippi; Benjamin F. Wade, of Ohio; William Bigler, of Pennsylvania; Henry M. Rice, of Minnesota; James R. Doolittle, of Wisconsin, and James W. Grimes, of Iowa.

Ibid., Dec. 20, 1860, p. 158.

It was a strong and representative committee, chosen from the four great political parties to the late Presidential election, and embracing recognized leaders in each. We shall see in a future chapter how this eminent committee failed to report a compromise, which was the object of its appointment. But compromise was impossible, because the conspiracy had resolved upon disunion, as already announced in the proclamation of a Southern Confederacy, signed and published a week before by Jefferson Davis and others.

CHAPTER XXVII

THE HOUSE COMMITTEE OF THIRTY-THREE

WHILE this discussion was going on in the Senate, very similar proceedings were taking place in the House of Representatives, except that declarations of revolutionary purpose were generally of a more practical and decisive character. The President's message had no sooner been received and read, and the usual formal motion made to refer and print, than the friends of compromise, representing here, as in the Senate, the substantial sentiment of the border slave States, made a sincere effort to take control and bring about the peaceable arrangement and adjustment of what they assumed to be the extreme differences between the South and the North. Mr. Boteler, of Virginia, seizing the momentary leadership, moved to amend by referring so much of the message "as relates to the present perilous condition of the country" to a special committee of one from each State. The Union being at that time composed of thirty-three States, this committee became known as the Committee of Thirty-three. Several other amendments were offered but objected to, and the previous question having been ordered, the amendment was agreed to and the committee raised by a

Compare Boteler's statement of origin of his resolution, "Globe," Jan. 10, 1861, p. 316.

"Globe," Dec. 4, 1860, p. 6.

CH. XXVII. vote of 145 yeas to 38 nays; the negative vote coming, in the main, from the more pronounced anti-slavery men.

Though this was the first roll-call of the session, the disunion conspirators, one after another, made haste to declare the treasonable attitude of their States. Pending the vote, Mr. Singleton declined recording his name for the reason that Mississippi had called a convention to consider this subject. He was not sent here for the purpose of making any compromise or to patch up existing difficulties.

"Globe," Dec. 4, 1860, p. 7.

Mr. Jones, of Georgia, said he did not vote on this question because his State, like Mississippi, had called a convention to decide all these questions of Federal relations.

Ibid.

Mr. Hawkins, of Florida, said his people had resolved to determine, in convention in their sovereign capacity, the time, place, and manner of redress. It was not for him to take any action on the subject. His State was opposed to all and every compromise. The day of compromise was past.

Ibid.

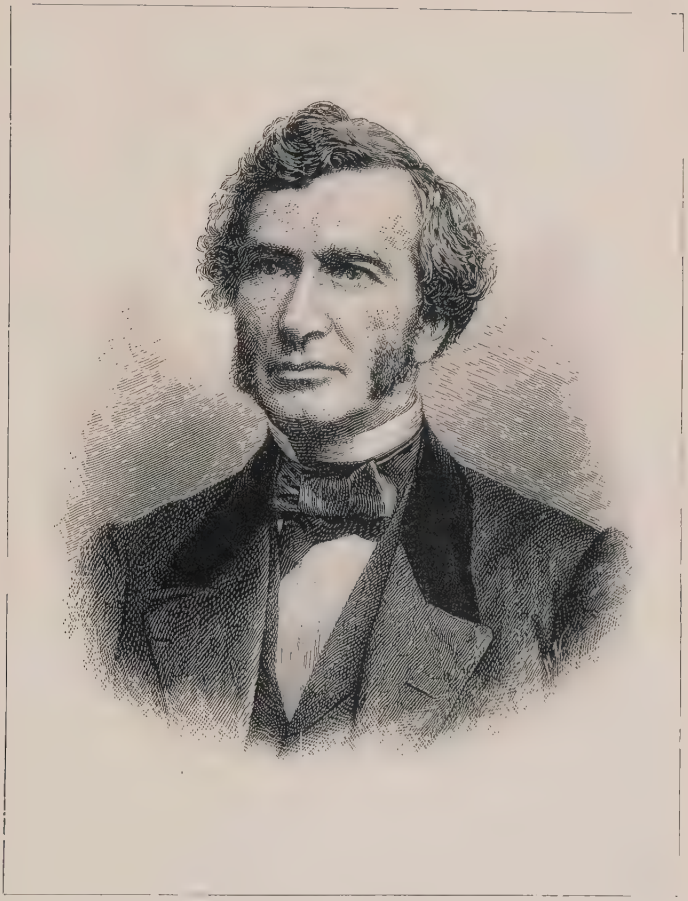
Mr. Clopton, of Alabama, declined voting because the State of Alabama is proceeding to consider in a convention what action is required to maintain her rights, honor, and safety. Believing that a State has the right to secede, and that the only remedy for present evils is secession, he would not hold out any delusive hope or sanction any temporizing policy.

Ibid.

Mr. Miles, of South Carolina, said "the South Carolina delegation have not voted on this question because they conceive they have no interest in it. We consider our State as already withdrawn from the confederacy in everything except form."

Ibid.

Mr. Pugh, of Alabama, said: "As my State of Alabama intends following South Carolina



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out of the Union by the 10th of January next, I pay no attention to any action taken in this body."

"Globe," Dec. 4, 1860. p. 7.

These proceedings occurred on the second day of the session, December 4; two days later the Speaker announced the committee, placing at the head, as chairman, Thomas Corwin, of Ohio, and appointing such members from the different States as to make it of marked influence and ability; the disunion faction being distinctly recognized by several extreme representatives. The names were announced on Thursday, December 6;[1] and at the close of the day's session the House adjourned to the following Monday, the 10th, on which day the general discussion was fairly launched on the request of Mr. Hawkins, of Florida, to be excused from serving on the committee. He said he had asked the opinions of many Southern Members, and, with one or two exceptions, they most cordially agreed with the course he had taken. To serve on the committee would place him in a false

[1] The following were members of the Committee of Thirty-three: Messrs. Thomas Corwin, of Ohio; John S. Millson, of Virginia; Charles F. Adams, of Massachusetts; Warren Winslow, of North Carolina; James Humphrey, of New York; William W. Boyce, of South Carolina; James H. Campbell, of Pennsylvania; Peter E. Love, of Georgia; Orris S. Ferry, of Connecticut; Henry Winter Davis, of Maryland; Christopher Robinson, of Rhode Island; William G. Whiteley, of Delaware; Mason W. Tappan, of New Hampshire; John L. N. Stratton, of New Jersey; Francis M. Bristow, of Kentucky; Justin S. Morrill, of Vermont; Thomas A. R. Nelson, of Tennessee; William McKee Dunn, of Indiana; Miles Taylor, of Louisiana; Reuben Davis, of Mississippi; William Kellogg, of Illinois; George S. Houston, of Alabama; Freeman H. Morse, of Maine; John S. Phelps, of Missouri; Albert Rust, of Arkansas; William A. Howard, of Michigan; George S. Hawkins, of Florida; Andrew J. Hamilton, of Texas; Cadwalader C. Washburn, of Wisconsin; Samuel R. Curtis, of Iowa; John C. Burch, of California; William Windom, of Minnesota; and Lansing Stout, of Oregon.—"Globe," December 6, 1860, page 22.

CH. XXVII. position. Florida had taken the initiative; her Legislature had ordered an election to choose members to a convention to be convened on the 3d day of January, 1861. The committee was a Trojan horse to gain time and demoralize the South; he regretted that it emanated from a Virginia Representative. He would tell the North that Mississippi, Alabama, Florida, Georgia, and South Carolina were certain to secede from the Union within a short period. Arkansas, Louisiana, and Texas were certain to follow within the ensuing six months.

"Globe," Dec. 10, 1860, pp. 36, 37.

Three Democratic Representatives responded to this outburst, the Republican members of the House, as in the Senate, remaining discreetly silent. These Democratic speakers alleged an unfair composition of the committee, and joined in denouncing the Republican party. But upon the vital and practical question of disunion their utterances were widely divergent. As the name of each of them will assume a degree of historical prominence in the further development of the rebellion, short quotations from their remarks made at that early period will be read with interest. Daniel E. Sickles, of New York, said:

> The city of New York will cling to the Union to the last; while she will look upon the last hour of its existence as we would upon the setting sun if we were never to see it more, yet when the call for force comes—let it come when it may—no man will ever pass the boundaries of the city of New York for the purpose of waging war against any State of this Union which, through its constituted authorities and sustained by the voice of its people, solemnly declares its rights, its interests, and its honor demand that it should seek safety in a separate existence. . . . The city of New York is now a subjugated dependency of a fanatical and puritanical State government that

never thinks of the city except to send its tax-gatherers among us or to impose upon us hateful officials, alien to our interests and sympathies, to eat up the substance of the people by their legalized extortions. . . Nothing has prevented the city of New York from asserting her right to govern herself, except that provision of the Federal Constitution which prohibits a State from being divided without its own consent. . . When that restraint shall no longer exist, when the obligation of those constitutional provisions, which forbid the division of a State without its own consent, shall be suspended, then I tell you that imperial city will throw off the odious government to which she now yields a reluctant allegiance; she will repel the hateful cabal at Albany, which has so long abused its power over her, and with her own flag sustained by the courage and devotion of her own gallant sons, she will, as a free city, open wide her gates to the civilization and commerce of the world.

"Globe," Dec. 10, 1860, pp. 40, 41.

Doubtless the secessionists drew hopeful auguries and fresh inspiration from this and other visionary talk frequent amid the unsteady political thought of that day. But, if so, it would have been wiser to ponder deeply the significance of the following utterances coming from a different quarter, and representing a more persistent influence, a more extended geographical area, and a greater numerical force. Clement L. Vallandigham, of Ohio, said:

I speak now as a Western man; and I thank the gentleman from Florida heartily for the kindly sentiments towards that great West to which he has given utterance. Most cordially I reciprocate them, one and all. Sir, we of the North-west have a deeper interest in the preservation of this Government in its present form than any other section of the Union. Hemmed in, isolated, cut off from the seaboard upon every side; a thousand miles and more from the mouth of the Mississippi, the free navigation of which under the law of nations we demand and will have at every cost; with nothing else but our other

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great inland seas, the lakes, and their outlet, too, through a foreign country — what is to be our destiny? Sir, we have fifteen hundred miles of Southern frontier, and but a little narrow strip of eighty miles, or less, from Virginia to Lake Erie bounding us upon the East. Ohio is the isthmus that connects the South with the British possessions, and the East with the West. The Rocky Mountains separate us from the Pacific. Where is to be our outlet? What are we to do when you shall have broken up and destroyed this government? We are seven States now, with fourteen Senators and fifty-one Representatives, and a population of nine millions. We have an empire equal in area to the third of all Europe, and we do not mean to be a dependency or province either of the East or of the South; nor yet an inferior or secondary power upon this continent; and if we cannot secure a maritime boundary upon other terms, we will cleave our way to the seacoast with the sword. A nation of warriors we may be; a tribe of shepherds never.

"Globe," Dec. 10, 1860, p. 38.

No less outspoken were the similar declarations of John A. McClernand, of Illinois, who said the question of secession disclosed to his vision a boundless sea of horrors.

Peaceable secession, in my judgment, is a fatal, a deadly illusion. . . If I am asked, Why so? I retort the question, How can it be otherwise? How are questions of public debt, public archives, public lands, and other public property, and, above all, the questions of boundary to be settled? Will it be replied that, while we are mutually unwilling now to yield anything, we will be mutually willing, after awhile, to concede everything? That, while we mutually refuse to concede anything now for the sake of national unity, we will be mutually ready to concede everything by and by for the sake of national duality? Who believes this? What, too, would be the fate of the youthful but giant North-west in the event of a separation of the slave-holding from the non-slave-holding States? Cut off from the main Mississippi and the Gulf of Mexico on one hand, or from the eastern Atlantic ports on the other, she

would gradually sink into a pastoral state, and to a standard of national inferiority. This the hardy and adventurous millions of the North-west would be unwilling to consent to. This they would not do. Rather would they, to the last man, perish upon the battlefield. No power on earth could restrain them from freely and unconditionally communicating with the Gulf and the great mart of New York. "Globe," Dec. 10, 1860, p. 39.

No further noteworthy discussion occurred for a time, except the declaration of Mr. Cobb, of Alabama, that if anything were done to save his State it must be done immediately. The election for delegates to the convention would take place on the 24th of that month, and the convention would meet on the 7th of the next month. His State would not remain in this Confederacy longer than the 15th of January unless something were done. Ibid., Dec. 11, 1860, p. 59.

The House refused to excuse the several objecting members from serving on the committee; and the temper in which they proceeded to the discharge of their duty is perhaps best illustrated by the remarks of Representative Reuben Davis, of Mississippi. He said he could "but regard this committee as a tub thrown out to the whale, to amuse only, until the 4th of March next, and thus arrest the present noble and manly movements of the Southern States to provide by that day for their security and safety out of the Union. With these views I take my place on the committee for the purpose of preventing it being made a means of deception by which the public mind is to be misled and misguided; yet intending honestly and patriotically to entertain any fair proposition for adjustment of pending evils which the Republican members may submit." Ibid

CH. XXVII. On Wednesday, December 12, the morning hour was by agreement set apart for receiving all bills and resolutions to be submitted to the Committee of Thirty-three. They were duly read and referred, without debate, to the number of twenty-three.[1]

[1] Below are brief extracts of the salient points of twenty-one of them; the other two, are given in the text:

1. By Eli Thayer, of Massachusetts:
   No further acquisition of territory. No Congressional legislation about slavery. Presidential electors to be chosen by districts.
2. By John Cochrane, of New York:
   Divide the Territories on the line of 36° 30′, prohibiting slavery north and permitting it south. No prohibition of inter-State slave trade. Unrestricted right of transit and sojourn with slaves in free States. Personal liberty laws to be null and void.
3. By Garnett B. Adrain, of New Jersey:
   Non-intervention by Congress. Repeal of personal liberty laws. Fraternity, conciliation, and compromise.
4. By Edward Joy Morris, of Pennsylvania:
   To investigate personal liberty laws, and suggest amendments to fugitive-slave law.
5. By James A. Stewart, of Maryland:
   Investigation to secure constitutional rights of States in the Union. If this be impracticable, to investigate best mode of separation.
6. By Shelton F. Leake, of Virginia:
   No constitutional power to abolish slavery or slave-trade in the States, Territories, or District of Columbia. Protection to slavery in Territories, and in transit through or sojourn in free States. Fugitive slaves lost through State legislation, or by act of State authorities, to be paid for.
7. By William Smith, of Virginia:
   Declare out of the Union every State which shall by her legislation aim to nullify an act of Congress.
8. By Samuel S. Cox, of Ohio:
   Punishment of executives, judges, attorney-general, or other officers who obstruct the execution of the fugitive-slave law.
9. By John Hutchins, of Ohio:
   Laws against kidnaping, lynching, or unreasonable search or seizure.
10. By John Sherman, of Ohio:
    Laws to enforce all obligations imposed by the Constitution. Division of all Territory into States, and their prompt admission into the Union.
11. By John A. Bingham, of Ohio:
    Laws to suppress rebellion, to protect United States property against unlawful seizure and citizens against unlawful violence.

They came principally from Northern members, though all four parties of the late Presidential campaign were represented, the attitude of which they mainly reflected. In substance, therefore, they embodied the same medley of affirmations

12. By Robert Mallory, of Kentucky:
Prohibit slavery north and protect it south of the line of 30° 36′. Admit States with or without slavery. No prohibition or abolition of the inter-State slave trade or slavery in the District of Columbia, or in arsenals, dockyards, etc., of the United States.
13. By John W. Stevenson, of Kentucky:
Declare resistance to fugitive-slave law, or rescue of slaves from custody of officers, felony.
14. By William H. English, of Indiana:
Divide Territories. Congress shall not impair right of property in slaves. Double compensation from cities, counties, or townships for slaves rescued by mob violence or State legislation.
15. By David Kilgore, of Indiana:
Trial by jury and writ of error under fugitive-slave law. Criminal prosecution against forcible hindrance or rescue of fugitives. Payment by the United States for fugitives rescued by force.
16. By William S. Holman, of Indiana:
The Constitution is a compact of mutual and permanent obligation. No right of secession. Laws should be enforced in good faith and with temperate firmness. Ample legal provision against any attempt to nullify the laws.
17. By William E. Niblack, of Indiana:
Payment by offending cities, counties, or districts for fugitive slaves rescued.
18. By John A. McClernand, of Illinois:
Indemnity for fugitive slaves rescued. A special Federal police to execute United States laws, and suppress unlawful resistance thereof.
19. By Thomas C. Hindman, of Arkansas:
Right of property in slaves in slave States. No interdiction of inter-State slave trade. Protection of slavery in all Territories. Admission of States with or without slavery. Right to hold slaves in transit through free States. Deprive States enacting personal liberty laws of representation in Congress. Give slave-holding States an absolute negative upon all action of Congress relating to slavery. States to appoint the officers exercising Federal functions within their limits. Make these provisions, together with three-fifths representation, unrepealable.
20. By Charles H. Larrabee, of Wisconsin:
A convention to amend Constitution.

CH. XXVII. and denials, of charges and countercharges, of evasions and subterfuges which party discussion had worn threadbare.

These twenty-three propositions, which were by subsequent additions increased to forty or fifty, exhibit such a variety of legislative plans that it is impossible to subject them to any classification. They give us an abstract of the divergent views which Members of Congress entertained concerning the cause of the crisis and its remedy. They range in purport from a mere assertion of the duty of preserving and administering the government as then existing, in its simple form and symmetrical structure, to proposals to destroy and change it to a complex machine, fantastic in proportion and impracticable in its workings. They afford us evidence of the bewilderment which beset Congress as well as the outside public, and not so much the absence of reasonable political principles as the absence of a simple and direct political will, which would resolutely insist that recognized principles and existing laws should be respected and obeyed.

Among the propositions submitted then and afterwards were several wild and visionary projects of government. Thus Mr. Jenkins, a Virginia member, proposed an arrangement requiring separate sanction of the slave-holding interest to each and every operation of government; a dual executive;

21. By Thomas L. Anderson, of Missouri:
Submit to the Supreme Court of the United States the questions at issue between the slave-holding and non-slave-holding States. Carry into effect by law the opinion of said Court as a final settlement. (Submitted Dec. 13.) —"Globe," Dec. 12 and 13, 1860, pp. 76–79, and 96.

a dual senate, or dual majority of the senate, or other advisory body or council. Mr. Noell, of Missouri, proposed to abolish the office of President, create an executive council of three members, from districts of contiguous States, give each member the veto power, and establish equilibrium between the free and the slave States in the Senate by voluntary division of some of the slave States. "Globe," Dec. 12, 1860, p. 77. Ibid., p. 78.

Stronger minds were not entirely free from the infection of this mania for innovation and experiment. On the 13th of December, 1860, Andrew Johnson, of Tennessee, afterwards President of the United States, submitted to the Senate a proposal to amend the Constitution in substance as follows: That the Presidential election should take place in August; that a popular plurality in each district should count as one vote; that Congress should count the votes on the second Monday of October; that the President chosen in 1864 be from a slave-holding State, and the Vice-President from a free State; and in 1868 the President be from a free State and the Vice-President from a slave State, and so alternating every four years. Senators to be elected by vote of the people. Federal judges to be divided so that one-third of the number would be chosen every fourth year; the term of office to be twelve years; also all vacancies to be filled, half from free and half from slave States, the Territories to be divided, establishing slavery south and prohibiting it north of a fixed line, and providing that three-fifths representation and inter-State slave trade shall not be changed. Ibid., Dec. 13, 1860, pp. 82, 83.

Perhaps the most complicated project of government was that gravely suggested in the House on

CH. XXVII. the 7th of February, 1861, by Clement L. Vallandigham, of Ohio, who, not content with the clogs of a dual form, proposed the following absurd quadruple machinery: The Union to be divided into four sections: North, West, Pacific, and South. On demand of one-third of the Senators from any section, for any action to which the concurrence of the House of Representatives may be necessary,— except on adjournment,— a vote shall be by sections, and a majority of Senators from each section shall be necessary to the validity of such action. A majority of all the electors in each of the four sections to be necessary to choice of President and Vice-President; they should hold the office six years; not to be eligible to reëlection except by vote of two-thirds of the electors of each section; or of the States of each section whenever the choice devolved upon the Legislature; Congress to provide for the election of President and Vice-President when electors failed. No State might secede without consent of the Legislatures of all States of that section, the President to have power to adjust differences with seceding States, the terms of agreement to be submitted to Congress; neither Congress nor Territorial Legislatures should have power to interfere with citizens immigrating — on equal terms — to the Territories, nor to interfere with the rights of person or property in the Territories. New States to be admitted on an equal footing with old ones.

"Globe," Feb. 7, 1861, pp. 794, 795.

The adoption of any or all of the legislative nostrums which were severally suggested, presupposed a willingness on the part of the South to carry them out and be governed thereby. The authors of these projects lost sight of the vital difficulty,

that if the South refused obedience to laws in the past she would equally refuse obedience to any in the future when they became unpalatable. It was not temporary satisfaction, but perpetual domination which she demanded. She did not need an amendment of the fugitive-slave act, or a repeal of personal liberty bills, but a change in the public sentiment of the free States. Give her the simple affirmation that slaves are property, to be recognized and protected like other property, embody the proposition in the Constitution, and secure its popular acceptance, and she would snap her fingers at an enumeration of other details. Fugitive-slave laws, inter-State slave trade, a Congressional slave code, right of transit and sojourn in the free States, compensation for runaways, new slave States, and a majority in the United States Senate would follow, as inevitably as that the well planted acorn expands by the forces of nature into roots, trunk, limbs, twigs, and foliage. This was what Jefferson Davis formulated in discussing his Senate resolutions of February, 1860,[1] and the doctrine for which Yancey rent the Charleston Convention in twain. This is what Jefferson Davis would again demand of the Senate Committee of Thirteen; and, knowing the North would never concede it, he would, even prior to the demand, join in instigating and proclaiming secession.

1 "We want nothing more than a simple declaration that negro slaves are property, and we want the recognition of the obligation of the Federal Government to protect that property like all other." Senate Speech, "Globe," May 17, 1860, p. 2155.

CHAPTER XXVIII

THE CONSPIRACY PROCLAIMED

TO a great majority of the people the hopes and chances of a successful compromise seemed still cheering and propitious. There was indeed a prevailing agitation in the Southern part of the Union, but it had taken a virulent form in less than half a dozen States. In most of these a decided majority still deprecated disunion. Three of the great political parties of the country were by the voice of their leaders pledged to peace and order; the fourth, apparently controlled as yet by the powerful influences of official subordination and patronage, must, so it seemed, yield to the now expressed and public advice of the President in favor of Union and the enforcement of the law; especially in view of the forbearance and kindness he was personally exercising towards the unruly elements of his faction. Throughout the Northern States the folly and evils of disunion appeared so palpable that it was not generally regarded as an imminent danger, but rather as merely a possible though not probable event. The hasty and seemingly earnest action of the people and authorities of South Carolina was looked upon as a historical repetition of the nullification crisis of 1831–32; and

without examining too closely the real present condition of affairs, men hoped, rather than intelligently expected, that the parallel would continue to the end. Some sort of compromise of the nature of that of 1850 was the prevailing preoccupation in politics.

This was the popular view of the situation. But it was an erroneous view, because it lacked the essential information necessary to form a correct and solid judgment. The deep estrangement between the sections was imperfectly realized. The existence of four parties, a very unusual occurrence in American politics, had seriously weakened party cohesion, and more than quadrupled party prejudice and mistrust. There was a strong undercurrent of conviction and purpose, not expressed in speeches and platforms. But the most serious ignorance was in respect to the character and fidelity of the high officers of the Government. Of the timidity of Mr. Buchanan, of the treachery of three members of the Cabinet, of the exclusion of General Scott from military councils, of the President's refusal to send troops to Anderson, of his stipulation with the South Carolina Members, of the intrigue which drove General Cass from the head of the State Department and from the Cabinet, the people at large knew nothing, or so little that they could put no intelligent construction upon the events. The debates of Congress shed the first clear light upon the situation, but the very violence and bitterness of the secession speeches caused the multitude to doubt their sincerity, or placed their authors in the category of fanatics who would gain no followers.

CH. XXVIII. While, therefore, the Republicans in Congress and in the country maintained, as a rule, an expectant and watchful silence, the conservatives, made up for the greater part of the supporters of Bell and Everett, were active in setting on foot a movement for compromise, in the final success of which they had the fullest confidence; and it is but justice to their integrity and ability to add that this confidence was warranted by the delusive indications of surface politics. Highly patriotic in purpose and prudent in act, their leading men in Congress had promptly opposed secession, had moved a Senate Committee of Thirteen, and secured the appointment and the organization of the House Committee of Thirty-three. Already some twenty-three different propositions of adjustment had been submitted to this committee, and under the circumstances it actually seemed as if only a little patience and patriotic earnestness were needed to find a compromise,—perhaps an amendment of the Constitution,— which the feverish unrest and impatience of the nation would compel Congress to enact or propose, and the different States and sections, willing or unwilling, to accept and ratify.

Superior political wisdom and more thorough information, as well as a finer strategy, a quicker enthusiasm, and a more unremitting industry, must be accorded to the conspirators who now labored night and day in the interest of disunion. They discerned more clearly than their opponents the demoralization of parties at the North, the latent revolutionary discontent at the South, the influence of brilliant and combined leadership, and

the social, commercial, and political conditions which might be brought into action. They recognized that they were but a minority, a faction; but they also realized that as such they had a substantial control of from six to eleven States whenever they chose to make that control effective, and that, for present uses at least, the President was, under their influence, but as clay in the hands of the potter.

Better than the Republicans from the North, or even the conservatives from the border States, they knew that in the Cotton States a widespread change of popular sentiment was then being wrought and might very soon be complete. Except upon the extreme alternative of disunion, the people of the border States were eager to espouse their quarrel, and join them in a contest for alleged political rights. Nearly half the people of the North were ready to acknowledge the justness of their complaints. The election of Lincoln was indeed a flimsy pretext for separation, but it had the merit of universal publicity, and of rankling irritation among the unthinking masses of the South. Agriculture was depressed, commerce was in panic, manufacturing populations were in want, the national treasury was empty, the army was dispersed, the navy was scattered. The national prestige was humbled, the national sentiment despondent, the national faith disturbed.

Meanwhile their intrigues had been successful beyond hope. The Government was publicly committed to the fatal doctrine of non-coercion, and was secretly pursuing the equally fatal policy of concession. Reënforcements had been withheld

CH. XXVIII. from Charleston, and must, from motives of consistency, be withheld from all other forts and stations. An unofficial stipulation, with the President, and a peremptory order to Anderson, secured beyond chance the safe and early secession of South Carolina, and the easy seizure of the Government property. The representatives of foreign governments were already secretly coquetting for the favor of a free port and an advantageous cotton-market. Friendly voices came to the South from the North, in private correspondence, in the public press, even in the open debates of Congress, promising that cities should go up in flames and the fair country be laid waste before a single Northern bayonet should molest them in their meditated secession.

Upon such a real or assumed state of facts the conspirators based their theory, and risked their chances of success in dismembering the republic,— and it must be admitted that they chose their opportunity with a skill and foresight which for a considerable period of time gave them immense advantages over the friends of the Union. One vital condition of success, however, they strangely overlooked, or rather, perhaps, deliberately crowded out of their problem — the chance of civil war, without foreign intervention. For the present their whole plan depended upon the assumption that they could accomplish their end by means of the single instrumentality of peaceable secession; and with this view they proceeded to put their scheme into prompt execution.

The House Committee of Thirty-three had been organized by the selection of Thomas Corwin as its

chairman, and had entered hopefully upon the task confided to it. A caucus of active conspirators was said to have been held the week previous, to intimidate the members from the Cotton States and induce them to refuse to serve on the committee, but this coercive movement only partly succeeded. The Committee of Thirty-three held a long meeting on December 12, and now, on the morning of the 13th, was once more convened for work. The informal propositions and discussions of the day previous were renewed, but resulted only in calling out views and schemes too vague on the one hand or too extreme on the other. The subject was about to be laid over to the following Saturday, when Albert Rust, of Arkansas, startled the committee with the information that the extremists were obtaining signatures to a paper to announce to the South that no further concession was expected from the North, and that any adjustment of pending difficulties had become impossible. He, therefore, offered a resolution to meet this unexpected crisis, but accepted the following substitute, offered by William McKee Dunn, of Indiana:

Correspondence New York "Tribune," Dec. 10, 1860.

Resolved, That in the opinion of this Committee, the existing discontent among the Southern people and the growing hostility among them to the Federal Government are greatly to be regretted, and that whether such discontent and hostility are without just cause or not, any reasonable, proper, and constitutional remedies and effectual guarantees of their peculiar rights and interests, as recognized by the Constitution, necessary to preserve the peace of the country and the perpetuation of the Union, should be promptly and cheerfully granted.

Other amendments were voted down, and this proposition was adopted by a vote of twenty-two

CH. XXVIII.

Proceedings of the committee and card of Hon. Reuben Davis, "National Intelligencer," Dec. 14 and 15, 1860.

to eight, and thus, in good faith, a tender of reasonable concession and honorable and satisfactory compromise was made by the North to the South. But the peace-offering was a waste of patience and good-will. Caucus after caucus of the secession leaders had only grown more aggressive, and deepened and strengthened their inflexible purpose to push the country into disunion. The presence of General Scott, who after a long illness had come from New York to Washington, on December 12, to give his urgent advice to the work of counteracting secession by vigorous military preparation, did not disconcert or hinder the secession leaders. His patriotic appeal to the Secretary of War on the 13th naturally fell without effect upon the ears of one of their active confederates. Neither the temporizing concession of the President nor the conciliatory and half-apologetic resolution of the Committee of Thirty-three for one instant changed or affected the determination to destroy the Government and dissolve the Union.

Gen. Scott, "Autobiography." Vol. II., p. 613.

Friday, December 14, 1860, was a day of gloom and despondency in Mr. Buchanan's office, bringing to his mind more forcibly than he had ever before realized the utter wreck into which he had guided his Administration. To the jubilant secessionists it was not only a day of triumph achieved, but also of apparently assured successes yet to come. The hitherto official organ of the Administration in its issue of the following morning contained two publications which gave startling notice to the country of the weakness of the right and the strength of the wrong in the swiftly approaching struggle for national existence.

The first of these documents was a proclamation from the President of the United States, saying that in response to numerous appeals he designated the fourth day of January, proximo, as a day of humiliation, fasting, and prayer. The "dangerous and distracted condition of our country" was therein thus set forth:

> The Union of the States is at the present moment threatened with alarming and immediate danger — panic and distress of a fearful character prevail throughout the land — our laboring population are without employment, and consequently deprived of the means of earning their bread — indeed, hope seems to have deserted the minds of men. All classes are in a state of confusion and dismay, and the wisest counsels of our best and purest men are wholly disregarded. . . Humbling ourselves before the Most High, . . . let us implore him to remove from our hearts that false pride of opinion which would impel us to persevere in wrong for the sake of consistency, rather than yield a just submission to the unforeseen exigencies by which we are now surrounded. . . An omnipotent Providence may overrule existing evils for permanent good.

Washington "Constitution," Dec. 15, 1860.

The second manifesto was more practical and resolute. As the first public and combined action of the conspirators, it forms the hinge upon which they well-nigh turned the fate of the New World Republic. It was a brief document, but contained and expressed all the essential purposes of the conspiracy. It was signed by about one-half the Senators and Representatives of the States of North Carolina, South Carolina, Georgia, Alabama, Mississippi, Louisiana, Florida, Texas, and Arkansas. It precedes every ordinance of secession, and is the "official" beginning of the subsequent "Confed-

CH. XXVIII. erate States," just as Governor Gist's October circular was the "official" beginning of South Carolina secession.

ADDRESS OF CERTAIN SOUTHERN MEMBERS OF CONGRESS.

TO OUR CONSTITUENTS.

WASHINGTON, Dec. 14, 1860.

The argument is exhausted. All hope of relief in the Union through the agency of committees, Congressional legislation, or constitutional amendments is extinguished, and we trust the South will not be deceived by appearances or the pretense of new guarantees. In our judgment the Republicans are resolute in the purpose to grant nothing that will or ought to satisfy the South. We are satisfied the honor, safety, and independence of the Southern people require the organization of a Southern Confederacy — a result to be obtained only by separate State secession — that the primary object of each slave-holding State ought to be its speedy and absolute separation from a Union with hostile States.

J. L. Pugh.....of Alabama.
David Clopton..... of Alabama.
Sydenham Moore...of Alabama.
J. L. M. Curry.....of Alabama.
J. A. Stallworth .. .of Alabama.
J. W. H. Underwood, of Georgia.
L. J. Gartrell .....of Georgia.
James Jackson.....of Georgia.
John J. Jones .....of Georgia.
Martin J. Crawford...of Georgia.
Alfred Iverson,
U. S. Senator, Georgia.
George S. Hawkins...of Florida.
T. C. Hindman.....of Arkansas.
Jefferson Davis,
U. S. Senator, Mississippi.
A. G. Brown,
U. S. Senator, Mississippi.
Wm. Barksdale...of Mississippi.
O. R. Singleton...of Mississippi.
Reuben Davis... of Mississippi.
Burton Craige, of North Carolina.
Thomas Ruffin,
of North Carolina.
John Slidell,
U. S. Senator, Louisiana.
J. P. Benjamin,
U. S. Senator, Louisiana.
J. M. Landrum....of Louisiana.
Louis T. Wigfall,
U. S. Senator, Texas.
John Hemphill,
U. S. Senator, Texas.
J. H. Reagan..... ...of Texas.
M. L. Bonham,
of South Carolina.
Wm. Porcher Miles,
of South Carolina.
John McQueen,
of South Carolina.
John D. Ashmore,
of South Carolina.

Washington "Constitution," Dec. 15, 1860.

This proclamation of revolution, when analyzed, reveals with sufficient clearness the design and in-

dustry with which the conspirators were step by step building up their preconcerted movement of secession and rebellion. Every justifying allegation in the document was notoriously untrue. CH. XXVIII.

Instead of the argument being exhausted, it was scarcely begun. So far from Congressional or constitutional relief having been refused, the Southern demand for them had not been formulated. Not only had no committee denied hearing or action, but the Democratic Senate, at the instance of a Southern State, had ordered the Committee of Thirteen, which the Democratic and Southern Vice-President had not yet even appointed; and when the names were announced a week later, Jefferson Davis, one of the signers of this complaint of non-action, was the only man who refused to serve on the committee — a refusal he withdrew when persuaded by his co-conspirators that he could better aid their designs by accepting. On the other hand, the Committee of Thirty-three, raised by the Republican House, appointed by a Northern Speaker, and presided over by a Northern chairman, had the day before by more than a two-thirds vote distinctly tendered the Southern people "any reasonable, proper, and constitutional remedies and effectual guarantees."

Outside of Congressional circles there was the same absence of any new complications, any new threats, any new dangers from the North. Since the day when Abraham Lincoln was elected President there had been absolutely no change of word or act in the attitude and intention of himself or his followers. By no possibility could they exert a particle of adverse political power, executive, legislative, or

CH. XXVIII. judicial, for nearly three months. Not only was executive authority in the hands of a Democratic Administration, which had made itself the peculiar champion of the Southern party, but it had yielded every successive demand of administrative policy made by the conspirators themselves. The signers of this address to their Southern constituents had not one single excuse.

CHAPTER XXIX

THE FORTY MUSKETS

LIKE the commandant of Fort Moultrie, the other officers of the garrison keenly watched the development of hostile public sentiment, and the steady progress of the secession movement. Some had their wives and families with them, and to the apprehensions for the honor of their flag, and the welfare of their country, was added a tenderer solicitude than even that which they felt for their own lives and persons. Hostility from the constituted authorities of South Carolina or a tumultuary outbreak of the Charleston rabble was liable to bring overwhelming numbers down upon them at any hour of the day or night.

The special study of this danger, or rather of the means to meet and counteract it, fell to Captain J. G. Foster, of the engineer corps, who had been assigned to the charge of these fortifications on the 1st of September. But his services were also in demand elsewhere, and for more than two months afterwards the works at Baltimore appear to have claimed the larger part of his time. On the day after the Presidential election he was directed to give the Charleston forts his personal supervision, and he arrived there on the 11th of November,

CH. XXIX. remaining thenceforward till the surrender of Sumter.

In time of peace, the administration of military affairs in the United States is somewhat spasmodic, resulting directly and unavoidably from the fact of our maintaining only the merest skeleton of a standing army compared to the vast territorial extent of the Union. As an incident of this system, Fort Moultrie had been allowed to become defenseless. "A child ten years old can easily come into the fort over the sand-banks," wrote an officer June 18, 1860, "and the wall offers little or no obstacle." "The ease with which the walls can now be got over without any assistance renders the place more of a trap, in which the garrison may be shot down from the parapet, than a means of defense. To persons looking on it appears strange, not to say ridiculous, that the only garrisoned fort in the harbor should be so much banked in with sand, that the walls in some places are not one foot above the tops of the banks."

Lieut. Breck to Major Deas, June 18, 1860.

By the 14th of November Captain Foster had removed the sand which had drifted against the walls, repaired the latter, and supplied certain expedients in the way of temporary obstructions and defenses which were suggested by his professional skill, and available within his resources. "I have made these temporary defenses as inexpensive as possible," he writes, "and they consist simply of a stout board fence ten feet high, surmounted by strips filled with nail-points, with a dry brick wall two bricks thick on the inside, raised to the height of a man's head, and pierced with embrasures and a sufficient number of loop-holes.

Their immediate construction has satisfied and gratified the commanding officer, Colonel Gardiner, and they are, I think, adequate to the present wants of the garrison."

Foster to De Russy, Nov. 14, 1860. W. R. Vol. I., p. 73.

Of what avail, however, all the resources of engineering science, where forts were absolutely soldierless, and their walls without even a solitary sentinel? This was the condition of Fort Sumter and Castle Pinckney, after weeks of warning and positive entreaty to the Government at Washington, by engineer, inspectors, and commandants alike, all without having brought one word of encouragement or a single recruit.

But though the President and Secretary of War neglected their proper duty, Captain Foster did not remit his efforts. The exposed condition of these two priceless forts was the daily burden of his thoughts. Under Colonel Gardiner he had asked for forty muskets to arm his workmen to defend Sumter. The engineer bureau at Washington, seconding the suggestion, had obtained the approval of the Secretary of War, and had issued the order to the storekeeper of the Charleston arsenal. But when the matter was brought to the notice of Colonel Gardiner he objected. He was unwilling that this expedient, of doubtful utility at best, should serve as an excuse to the Secretary of War to refuse to send him the substantial reënforcement of two regular companies and fifty drilled recruits which he had requested.

It has already been stated how Colonel Gardiner, instead of obtaining his reënforcements, lost his command, and as a consequence Captain Foster's order for the forty muskets was duly put to

CH. XXIX. slumber in a pigeon-hole at the arsenal. When Major Anderson arrived and assumed control he not only, as we have seen, repeated the demand for additional troops, but recognizing at a glance the immense interests at stake had himself renewed to Captain Foster the suggestion about arming some engineer workmen. Captain Foster promptly made the application to the department for permission, and soon after for arms. Permission came in due course of mail; but by this time Secretary Floyd would issue no order for the hundred muskets asked for.

Foster to De Russy, Nov. 24, 1860. W. R. Vol. I., p. 77. Ibid., Dec. 2, 1860. Indorsement, Dec. 6 and 7. W. R. Vol. I., pp. 83, 84. Wright to Foster, Nov. 28, 1860. W. R. Vol. I., p. 78. Foster to De Russy, Dec. 2, 1860. Indorsement, Dec. 6 and 7.

Nevertheless, the working party of thirty was quartered in Castle Pinckney as quietly as possible, in order not to irritate the sensitive Charlestonians, and the officers and overseers in the two forts were instructed to sound and test the loyalty and trustworthiness of the mechanics and laborers. Those in Sumter had been brought from Baltimore, and in them Captain Foster placed his greatest hopes; but they disappointed him. On December 3 his overseer informed him that while they professed a willingness to resist a mob, they were disinclined to fight any organized volunteer force, and he was reluctantly compelled to abandon the scheme, at least as to Fort Sumter. But he still clung to the hope that the thirty men sent to Castle Pinckney, having been chosen with more care, might prove of some service in the hour of need. He gave orders to his officers to resist to the utmost any demands or attempts on the works. "Having done thus much," he wrote to the department, "which is all I can do in this respect, I feel that I have done my duty, and that if any overt act

takes place, no blame can properly attach to me. I regret, however, that sufficient soldiers are not in this harbor to garrison these two works. The Government will soon have to decide the question whether to maintain them or to give them up to South Carolina. If it be decided to maintain them, troops must instantly be sent and in large numbers." CH. XXIX.

Foster to De Russy, Dec. 4, 1860. W. R. Vol. I., p. 85.

Though neither Major Anderson nor Captain Foster could obtain any official replies to distinct and vital questions involving the issue of peace or war, a trivial episode soon furnished them a very broad hint as to what the Secretary of War would ultimately do about the forts.

On the same day on which the South Carolina secession convention met at Columbia, the State capital, Captain Foster had occasion to go to the United States arsenal in the city of Charleston to procure some machinery used in mounting heavy guns. While there he remembered that two ordnance sergeants, respectively in charge of Fort Sumter and Castle Pinckney, had applied to him for the arms to which they were by regulations entitled. He therefore asked the military storekeeper in charge of the arsenal for two muskets and accouterments for those two sergeants. The storekeeper replied that he had no authority for the issue of two muskets for this purpose, but that the old order for forty muskets was on file, and the muskets and accouterments were ready packed for delivery to him. Foster received them, and after issuing two muskets to the ordnance sergeants at Fort Sumter and Castle Pinckney, placed the remainder in the magazines of those two forts.

Ibid., Dec. 20, 1860. W. R. Vol. I., p. 100.

CH. XXIX. Whether the vigilance of a spy or the subservient fear or zeal of the storekeeper gave the Charleston authorities information of this trifling removal of arms, cannot now be ascertained. The muskets had scarcely reached their destination when Captain Foster was astonished by receiving a letter from the military storekeeper saying that the shipment of the forty muskets had caused intense excitement; that General Schnierle, the Governor's principal military officer, had called upon him, with the declaration that unless the excitement could be allayed some violent demonstration would be sure to follow; that Colonel Huger had assured the Governor that no arms should be removed from the arsenal. He (Captain Humphreys) had pledged his word that the forty muskets and accouterments should be returned "by to-morrow night," and he therefore asked Captain Foster to make good his pledge.

Humphreys to Foster, Dec. 18, 1860. W. R. Vol. I., p. 96.

Captain Foster wrote a temperate reply to the storekeeper, which, in substance, he embodied in the more vigorous and outspoken report he immediately made to the Ordnance Department at Washington: "I have no official knowledge (or positive personal evidence either) that Colonel Huger assured the Governor that no arms should be removed from the arsenal, nor that, if he did so, he spoke by authority of the Government; but on the other hand I do know that an order was given to issue to me forty muskets; that I actually needed them to protect Government property and the lives of my assistants, and the ordnance sergeants under them at Fort Sumter and Castle Pinckney, and that I have them in my possession. To give them up

on a demand of this kind seems to me as an act not expected of me by the Government, and as almost suicidal under the circumstances. It would place the two forts under my charge at the mercy of a mob. Neither of the ordnance sergeants at Fort Sumter and Castle Pinckney had muskets until I got these, and Lieutenants Snyder and Meade were likewise totally destitute of arms. CH. XXIX.

"I propose to refer the matter to Washington, and am to see several gentlemen, who are prominent in this matter, to-morrow. I am not disposed to surrender these arms under a threat of this kind, especially when I know that I am only doing my duty to the Government." Foster to DeRussy, Dec. 18, 1860 W. R. Vol. I., pp. 95, 96.

According to his promise, Captain Foster went to the city on the 19th to hold an interview with General Schnierle and "several other prominent citizens of Charleston" on the subject of the alleged "intense excitement" which was again paraded as a menace to induce him to return the arms. If he was originally surprised at the reported excitement he was now still more astonished to find that it did not exist except in the insurrectionary zeal of those who were performing this farcical rôle purely for its theatrical effect. A majority of the "prominent citizens," who had been convoked as a part of the stage retinue to intimidate him by the threat of a mob, had not yet even heard of the affair. Detecting readily the sham and pretense of the performance, he seems to have at least accorded them the merit of an honest delusion. He quietly and politely explained to them the regularity of his orders and proceedings, and the good faith of himself and his brother officers. Foster to De Russy, Dec. 20, 1860. W. R. Vol. I., p. 101.

CH. XXIX. But he firmly declined to return the muskets until he should be directed to do so by the Government. Yet willing to go to the verge of his discretion to allay irritation, he agreed to appeal immediately by telegraph to the Ordnance Bureau for a decision.

Foster to De Russy, Dec. 19, 1860. W. R. Vol. I., pp. 97, 98.

He had not long to wait for a solution of the question. The Government was in all appearance deaf to the advice of its Secretary of State, General Cass, of its General-in-Chief, Lieutenant-General Scott, of its Charleston Commander, Major Anderson, of its engineer, Captain Foster, so long as the problem was the safety of three great forts. But when the question became the possession of forty muskets, and the arming of two ordnance sergeants, "men with worsted epaulettes on their shoulders and stripes down their pantaloons" in the language of the Secretary of War, that eminent functionary could sacrifice his rest and slumber to the crisis. Captain Foster, who had returned from the city to Fort Moultrie, was awakened a little after midnight to receive the following peremptory instruction:

> I have just received a telegraphic dispatch informing me that you have removed forty muskets from Charleston arsenal to Fort Moultrie. If you have removed any arms return them instantly.
>
> JOHN B. FLOYD, Secretary of War.

W. R. Vol. I., p. 100.

It was probably in no hopeful mood nor with enviable feelings that this brave officer returned by telegraph the strict routine answer of a loyal subordinate: "I received forty muskets from the arsenal on the 17th, I shall return them in obedi-

ence to your order."[1] The necessary consequence he embodied in his report to the department on the next day: "The order of the Secretary of War of last night I must consider as decisive upon the question of any efforts on my part to defend Fort Sumter and Castle Pinckney. The defense now can only extend to keeping the gates closed and shutters fastened and must cease when these are forced." CH. XXIX.

Foster to De Russy, Dec. 20, 1860. W. R. Vol. I., p. 101.

[1] "Although this would place my officers and Forts Sumter and Pinckney entirely at the mercy of any mob, I considered myself bound as an officer to obey the order, which I did by the prompt return of the muskets by 10 o'clock that morning."—Foster, Report to The Committee on Conduct of the War.

END OF VOL. II.

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